

**OVERSIGHT OF THE COMMUNITY
ORIENTED POLICING SERVICES
(COPS) GRANT PROGRAM**

HEARING
BEFORE THE
COMMITTEE ON THE JUDICIARY
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CONTENTS

OPENING STATEMENTS

	Page
Durbin, Hon. Richard J.	1
Graham, Hon. Lindsey O.	3

WITNESSES

Clements, Tony T.	3
Prepared statement	34
Responses to written questions	43

APPENDIX

Items submitted for the record	33
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**OVERSIGHT OF THE COMMUNITY ORIENTED
POLICING SERVICES (COPS)
GRANT PROGRAM**

WEDNESDAY, APRIL 10, 2024

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Committee met, pursuant to notice at 10 a.m., in Room G50, Dirksen Senate Office Building, Hon. Richard J. Durbin, Chair of the Committee, presiding.

Present: Senators Durbin [presiding], Whitehouse, Klobuchar, Coons, Hirono, Booker, Padilla, Ossoff, Welch, Butler, Graham, Grassley, Tillis, and Blackburn.

**OPENING STATEMENT OF HON. RICHARD J. DURBIN,
A U.S. SENATOR FROM THE STATE OF ILLINOIS**

Chair DURBIN. This meeting of the Senate Judiciary Committee will come to order. My colleague, Senator Graham is a few minutes late, but he's told me to go ahead and get started. He'll join us shortly.

In 1994, President Bill Clinton and a Democratic-led Congress established a new grant program at the Department of Justice for Community Oriented Policing Services. Three decades later, the COPS Program has become a fixture of America's criminal justice system.

According to the Department of Justice, Congress has appropriated over \$20 billion for COP grants since the program was created in 1994. This is the first ever first ever full Committee Oversight hearing on the COPS Program.

It's an example of our continued commitment to revitalizing this Committee's oversight role. The COPS Office was created to advance the vision of community policing, and build trust between law enforcement and the American people. By many metrics, the program is realizing its goal.

As a result of COPS funding, over 135,000 police officers have been hired and placed on the beat at the State and local level. COPS funding for law enforcement training has improved the effectiveness of our police. The COPS Office PASS Grants have provided funds for scenario-based training to prepare officers to safely and effectively manage active shooter events and other violent threats.

This year, the COPS Office will begin providing funding for de-escalation training for local law enforcement. This is thanks to the Law Enforcement De-escalation Training Act, a bipartisan legisla-

tion sponsored by Senators Cornyn and Coons, that this Committee approved and President Biden signed.

We've also authorized the COPS Office to provide grants for mental health services for our officers, recognizing that law enforcement is indeed a very stressful job and takes its toll on many officers.

Last year, this Committee advanced legislation to allow COPS Grants to be used to recruit and retain new officers, and to provide training for those who will serve in communities where they live.

These bills passed the Senate unanimously, now awaiting passage in the House. I hope Speaker Johnson will move these bills quickly. Contrary to many claims, political claims that are not true, Democrats do not support defunding the police.

The Senate has consistently supported the COPS Program with new appropriations, including over \$600 million this fiscal year. There are countless examples of police officers who've acted heroically, risking their lives in some instances, giving their lives in response to an emergency, and they've saved the lives of many innocent people in the process.

There are far too many examples of officers who've tragically lost their own lives in the process. We are grateful more than we can say in words for their service and sacrifice. We must also acknowledge the breakdown in trust between law officers and some of the communities they serve. That is a reality.

I called last year for a national conversation about policing in a responsible, constitutional and humane way. I still believe that conversation is urgently needed. Our communities deserve real transparency in policing and real accountability for misconduct.

Proposals for more comprehensive reforms to policing such as the George Floyd Justice and Policing Act have also been made. We need to pass these reforms to fully repair the relationship between law enforcement and the communities they serve,

And we can do more to leverage the expertise and capacity of the COPS Office to advance community-oriented policing that serves and protects us. I look forward to hearing from the director of the COPS Office today about how we can support law enforcement in their quest to expand community-based policing.

I'm going to recognize Senator Graham when he arrives, but let me introduce our witness that's joined us today. Hugh T. Clements, I welcome you. Mr. Clements serves as director of the COPS Office. He joined the office last year after nearly 40 years of service as a police officer in Providence, Rhode Island. Mr. Clements started his career as a patrol officer, rose through the ranks to serve as chief of the department from 2012 to 2023.

He holds a bachelor of arts degree in sociology from the University of Rhode Island, a bachelor of science degree in administration of justice from Roger Williams University, and a Master's of Science degree in Criminal Justice from Boston University.

Before I swear him in, I recognized my colleague, if you're ready, Senator Graham.

**OPENING STATEMENT OF HON. LINDSEY O. GRAHAM,
A U.S. SENATOR FROM THE STATE OF SOUTH CAROLINA**

Senator GRAHAM. Thank you, Mr. Chairman. I look forward to the hearing today. The COPS Program, I think, it's been very valuable tool, and I look forward to receiving the information about how we can make it better.

Crime is related to fentanyl and other type drugs that are sort of at an all-time high, and we need to make sure we're doing everything we can to help police officers and departments all over the country to deal with that. Thank you.

Chair DURBIN. Mr. Clements, if you could please stand up and raise your right hand.

[Witness is sworn in.]

Chair DURBIN. Let the record reflect that you answered in the affirmative and now welcome any opening statement.

Mr. CLEMENTS. Thank you, Mr. Chairman.

**STATEMENT OF HUGH T. CLEMENTS, DIRECTOR,
OFFICE OF COMMUNITY ORIENTED POLICING SERVICES
(COPS OFFICE), WASHINGTON, DC**

Mr. CLEMENTS. Chairman Durbin, Ranking Member Graham and Members of the Committee, thank you for this opportunity to discuss the oversight of the Office of Community Oriented Policing Services, better known as the COPS Office.

My name is Hugh T. Clements Jr., and I'm the director of the COPS Office. I joined the office in January of last year after nearly 40 years with the Providence Rhode Island Police Department. I started as a night patrol officer with the Uniform Division. Worked in both special investigations and the detective bureau, served as deputy chief, and in 2012 was appointed chief and promoted to the rank of colonel.

Over its nearly 30-year history, the COPS Office has received bipartisan support as it implements the priorities of the attorney general and Congress. Helping law enforcement advance community policing practices is at the core of everything we do. Our mission is and remains the advancement of public safety through community policing. To date, we have provided grants to more than 13,000 small, medium, and large State, local and tribal law enforcement agencies to reduce crime by advancing community policing. We're not only a grant-making component, but we also provide resources and assistance to help law enforcement agencies in the communities they serve, no matter the size or location.

During my testimony this morning, I want to talk about our grant funding, the technical assistance resources, and materials we have for law enforcement, and how we ensure the fidelity to the taxpayer dollar. COPS Office Community Policing Development funds are used to develop the capacity of law enforcement to implement community policing strategies by providing guidance on promising practices and supporting creative approaches to preventing crime and promoting safe communities.

Topic areas include enhancing de-escalation training, advancing crisis intervention teams, expanding law enforcement accreditation, and providing microgrants to fund innovative community policing projects at the local level.

The COPS Hiring Program, CHP, is the office's flagship program and is designed to reduce crime and advance public safety through community policing. CHP funding provides direct support to State, local, and tribal law enforcement agencies nationwide to hire career law enforcement officers, to increase in the agency's community policing capacity and crime prevention efforts. We monitor all COPS grants to ensure fidelity to the taxpayer.

Each grant we award requires quarterly federal financial and semi-annual performance progress reports. We review these reports on an annual and ongoing basis. This allows the office a means of oversight and early detection to troubleshoot any potential compliance concerns.

The COPS Office had approximately \$1.34 billion in active awards in Fiscal Year 2023. We conduct routine monitoring of 100 percent of our grant funding and conduct intensive monitoring on no less than 10 percent of the active award funding amount each fiscal year.

In Fiscal Year 2023, COPS monitoring encompass grants totaling \$139.2 million. While not every law enforcement agency will receive a grant from the COPS Office in any given year, every agency in the country has access to our knowledge resources, training, and technical assistance free of charge. The COPS training portal provides a no-cost means for entire law enforcement organizations, training academies in individual officers to access high quality and engaging community policing training materials. Thank you for this opportunity.

[The prepared statement of Mr. Clements appears as a submission for the record.]

Chair DURBIN. Mr. Clements, I'm going to ask a few questions and the other Members will have that opportunity too. When I dial 911, if God forbid I'm in that position, I pray to God that the person who responds has been carefully recruited, had been carefully trained, and is ready to come to the aid of my family as quickly as possible. I'm counting on that, and I think every American is counting on that no matter where they live.

And so, the question obviously is the COPS Program make that likelihood better or not? Are we investing our money in a way that makes a difference? You've been a real cop starting patrolling the beat and working your way up at chief of the department. Did you see any measurable impact of COP—Federal COP funds on your performance in your police department?

Mr. CLEMENTS. Thank you, Mr. Chairman. The funding from the Federal Government and the funding in particular from the COPS Office absolutely has been invaluable from where I came from. I will tell you that police officers have a tough assignment in our communities.

Basically, the mission is the same in all municipalities to reduce crime, fear, and social disorder, protecting constitutional rights, protecting human rights. It's a complicated assignment, that police officers have. The value that the COPS Office has provided to me when I was boots on the ground prior to my elevation to leadership roles in the department. And then after my elevation to those roles, particularly as chief, has been very helpful in building community partnerships and driving at problem solving in the community.

So, it's the connection in the community where the COPS Office has given guidance and valuable resources in the terms of grant funding, training and technical assistance, and as well throughout publications and resources.

Chair DURBIN. Thank you. Let me get down to the hard issues because I know that we're going to reach them and the questioning from Members. There's no question that the United States still struggles with the issue of race, still struggles with the issue of immigrants and how they're to be treated by our official agencies of Government and certainly how they're treated on the streets and neighborhoods of this country on a regular basis.

We've seen some outrageous examples. George Floyd comes to mind immediately, and we've heard rhetoric from some political figures who are branding immigrants, as not even humans, but calling them animals. And that sort of rhetoric and that sort of conduct really puts special pressure on the police. Can you tell me if the COPS Program addresses this in any way?

Mr. CLEMENTS. Thank you, Chairman. It certainly does in all of our programs, but specifically in the CHP, the COPS Hiring Program, the Flagship Program. There is extra consideration for agencies and law enforcement executives who have a strong implementation plan, hand in hand with their community members to drive our trust and legitimacy in their neighborhoods.

Again, I think all of the work we do in policing around the country is stronger and more valuable and has real impact in communities around this country when conversations ignite ideas and the message police leaders are given from their community are community informed.

And then the message that police leaders give to their rank and file and their partners—law enforcement partners are community driven.

So, community informed and community driven approaches to the real problems in a community. You know, the—in essence, police officers around this country and police agencies are looking to improve the quality of life, and that is done through problem-solving techniques.

Chair DURBIN. Mr. Clements on four or five different occasions, I put up a notice at the Police Training Academy in Chicago that I'm going to be sitting in a classroom for an hour and invite any member of the police force from that community who wants to come in for an off the record, no holds barred conversation to come on down, and they show up.

I'm amazed to see a politician, for goodness sakes, because they want to get something off their chest. They want to tell their side of the story, they want me to understand what it means to wear that shield and to risk your life out on the streets on a daily basis.

And how you have to make momentary, you know, just a few seconds of judgment. It could be life or death judgment for yourself, for innocent people around you or for the victim. And how tough that is, and how they think it's unfair that sometimes there are clips taken from videos that don't tell the whole story and they want the whole story told. Do you deal with that—have you dealt with that in your capacity as a chief and with the COPS Program?

Mr. CLEMENTS. So, throughout my career, going to roll calls, being the leader of a large organization, and now in my role as the director of the COPS Office, yes, absolutely, Mr. Chairman, and thank you for identifying that.

It is an extremely challenging role to be a police officer in American streets today. I mean, it's oftentimes, you know, police officers are sent to a situation with little or ambiguous information. They never know what hat they're putting on as they arrive on a scene, whether it's a rescue hat or a tactical hat.

And it's a complex profession, and I think the training that you referred to was critical to giving police the confidence to go out there and perform this very challenging tough assignment on American streets.

Chair DURBIN. Thank you, Mr. Clements. Senator Graham.

Senator GRAHAM. Yes. Thank you very much Mr. Clements. This program has not been reauthorized since 2009, it's been funded, but not reauthorized. Would reauthorization help you, believe it?

Mr. CLEMENTS. It would help the Department of Justice. It would help agencies around the country. In my role in as director of the COPS Office, I'm very connected to the law enforcement community and communities around this country. I can tell you, we get visits routinely. It's almost like it—

Senator GRAHAM. It would help.

Mr. CLEMENTS. Significantly.

Senator GRAHAM. Okay. What I'd like you to do is send to the Committee, me or the Chairman or both of us, what you would like to see changed in the program to make it more efficient if we did reauthorize it. You know, I'm sure a lot has changed since 2009. You are in charge of anti-heroin, anti-meth programs under the current construct. I would certainly like to put Fentanyl in that group. Does that make sense? Given the problems we have with Fentanyl.

Mr. CLEMENTS. It's a critical issue in communities around this country. Small, rural large, mid-size. So yes, Mr. Senator, I promise members of my office will provide that information.

Senator GRAHAM. Okay. I appreciate it. Let's talk about billing on what Senator Durham said about being a police officer. During your time as a police officer, would you agree this is one of the more challenging periods for the men and women in blue?

Mr. CLEMENTS. Without question.

Senator GRAHAM. Has recruitment been affected by some of these challenges?

Mr. CLEMENTS. Recruitment and retention has reached crisis levels in agencies, small and large around the country.

Senator GRAHAM. Yes. So, let's just dig into that a little bit. Recruitment and retention has reached a crisis level throughout the—I couldn't agree with you more. One of the things about the COPS Program, maybe if we reauthorize it, we could focus on that a bit.

So, we want to recruit and retain qualified people who wear the badge well. How you engage minority community is very important. We want to make sure that people feel like the cops are fair and on everybody's side.

Do you hear much when you talk to police officers about sort of a catch and release mentality in some districts in this country, that

you'll grab a guy or bad person and by sundown they back out on the street? Is that a problem you hear much about?

Mr. CLEMENTS. So, Senator, yes. I travel around the country to major stakeholder groups in law enforcement, in the communities. And that's a local issue in our communities around this country. And from my vantage point and my bully pulpit as the director of the COPS Office, and we want to be able to give these local agencies the resources they need to combat those issues.

Senator GRAHAM. But, right, it only works if the person on the prosecution end actually follows through, right?

Mr. CLEMENTS. Correct.

Senator GRAHAM. You can arrest all day. You just need somebody to take it to the next level.

Mr. CLEMENTS. And again, we want to be able to give these agencies, police executives, and officers out there on the street doing the job, the resources, to get those—it's generally a small number of individuals in each community causing the vast amount of violent crime.

Senator GRAHAM. Yes. We found that to be true and so—I'm sure you watched the video of a group of people attacking two New York police officers who had been in the system many times and got out. Does that take a toll over time?

Mr. CLEMENTS. It does, and it's, as you alluded to in the beginning, it's a pivotal moment in the profession. It absolutely takes a toll on retention. I think in going around the country, the larger organizations that I spoke to have more of a retention issue than a recruiting issue, it does take a toll, and—

Senator GRAHAM. You seem to be the right guy at the right time. And I'm a Republican, and, you know, our folks focus on the *Laken Riley* case, and, you know, a system is completely broken and allows folks to get in the country, unvetted, that should never have been here to begin with, but we got to fix it. We just can't complain about it.

We have to empower people like you. I think I'd like to reauthorize the program to give you more tools. Life has changed since 2009. So, Mr. Chairman, let's see if this Committee can come up with a reauthorization bill that would give this gentleman more tools, more resources, reinvent the program in light of where we're at in 2024, that'd be a worthy endeavor. And count me.

And I think most of my Republican colleagues support the COPS Program. We'd like to modernize it, and we'd like to make sure that the men and women in blue do not feel so let down. That needs to change. And I'd like to part of the process of changing that. Thank you.

Chair DURBIN. Senator Graham caught me in.

Senator GRAHAM. Great.

Chair DURBIN. I want to thank Senator Booker for coming early and positioning himself to be the next person recognized. Senator Booker.

Senator BOOKER. Thank you. Mr. Chairman, this is long, as you said, overdue, years overdue hearing. The COPS Program was vital to my city when I was mayor of the city. I don't know how we would have survived in our mission without it. My police officers

that I almost literally lived with during my days, are some of the most heroic people I have ever seen.

I am proud that under the Biden administration, we have not just continued to fund the COPS Program, but have funded it at historic levels. I have some concerns. And the first one is sort of a stunning to me, sir. I've looked at your record. You are an extraordinary public safety official. Your record in your State and your leadership was incredible. But something happened, and I remind you we're under oath. But did you say that you would not show up to this hearing if we had another panel focused on the community?

Mr. CLEMENTS. I never said that.

Senator BOOKER. Again, and maybe we need to clarify. You're not aware of your office asking for us not to have a second panel dealing with community issues?

Mr. CLEMENTS. I am not aware of that, Senator.

Senator BOOKER. I find that surprising, given what I've heard, and frankly, the things I've heard from your office this last couple weeks have been extraordinarily frustrating. I'm trying not to take them personally. I'm just one Senator.

From what I've heard, you don't give a damn what I think. But I will tell you this, the work and the obligations that you have are critical. And what does the C stand for in the COPS Program?

Mr. CLEMENTS. Community.

Senator BOOKER. Right. And, do you think under oath that it would be probably really important that this Committee have a panel hearing from community stakeholders about this program?

Mr. CLEMENTS. I do. And I thought that was the case. And, and I couldn't agree more with you, Senator, that C is in the word COPS because community are part of policing and the word public is in public safety for that reason as well.

Senator BOOKER. And, you know, from your experience, and again, everything I review we're an extraordinary public safety official with a career to be really proud of.

Mr. CLEMENTS. Thank you, sir.

Senator BOOKER. And, yet, right now, my concern is with a program I support that I want to see reauthorized, that I'm grateful to hear Lindsey Graham talk about modernizing the program. The frustrations I've had over the last week with your office is just understanding what metrics you keep.

Now, you were a leader of police force. I lead a city. Data transparency, accountability, the sophistication of your metrics is vital for public safety, is it not?

Mr. CLEMENTS. It is, and Senator, I want to stress the importance of you getting the information and data you need.

Senator BOOKER. Sir, I'm glad you're saying this right now under oath. But, Democratic Republican Presidents, I haven't had the kind of frustrations and heard the things I've heard from agencies like I have over yours, the last couple of weeks. You talk about deconfliction grants. What data do you collect to see if those grants are effective?

Mr. CLEMENTS. So there have been many researchers and studies done over the years. I came into this assignment in January 23, but I—

Senator BOOKER. So in the last year and quarter in your organization is a guy who understands leadership. And I know this from looking at your record, the importance of collecting data and having public transparency.

Does your office collect data when it comes to the deep confliction grants you have, about use of force, about civilian complaints, about incidents of misconduct? Do you look at the before and after of the grants that you're giving out, critical data that would help us understand if the millions of dollars we're putting—hundreds of millions of dollars putting into this program are actually effective?

Mr. CLEMENTS. So, Senator, we do have quarterly and semi-annual financial progress reports—progress reports from these agencies that we review on a routine basis throughout that year, throughout the grant period. We are not an investigative agency.

Senator BOOKER. No, you're not. But you're giving out grants that have specific ends, and you've given Congress no transparency, no data to understand whether the money we're investing is producing the results. The, the information I have been able to get, from your office of public information says that you barely do 10 percent of reviews of the grantees that get the resources.

That you're barely collecting the kind of data on the various mission of your organization. That would give us some kind of clarification if we're making investments that are reaping results. I agree with Senator Graham, we need to modernize the collection of data, because in the last 2 weeks, I have been utterly frustrated to understand what your office is doing besides counting the numbers of police officers that are hired with the grants, which is vital and why I support this program, why I have voted for it's historic funding.

But as two men who have been responsible for the safety of our communities and understand the urgency and importance of connections to community, of building trust between law enforcement and community. I know that transparency matters, and I know that accountability matters.

Your not to manage these departments you give grants to, but you have an obligation for the taxpayer money that you're giving out to make sure it's making some progress toward its mission. This is to me, vital for the success of this program.

And sir, it's vital for me because as great as my police department is, and as much as the change they've made, I still live in a Black and brown community where the number one issue in my community is public safety. Where I still—even as a result of the last year, have shootings in my community where my family lives. And so, I know what drives change, as do you, because I've read everything I can about your career.

When you were in law enforcement, you demanded transparency, you demanded data, you demanded accountability, you demanded real methods to build community trust. Why now do we have an agency like yours that doesn't collect the most basic things that we would need to inform a reauthorization of this program? And I think Mr. Chairman, my time is up, but we need to put in this grant things that will modernize this program so we have more transparency and accountability for the money we're giving out. Thank you, Mr. Chairman.

Chair DURBIN. Senator Tillis.

Senator TILLIS. Thank you, Mr. Chairman. Mr. Clements, thank you for being here.

Mr. CLEMENTS. Thank you, Senator.

Senator TILLIS. I do think it would be helpful to, if you parse through some of what Senator Booker said there—for the record, you could present information on how you're tracking the progress of the program. I think that would be helpful. My guess is that you would've, people in your organization that could provide satisfactory answers for a lot of the questions that were raised.

[Poster is displayed.]

I want to talk about an investment that I think we just—I never missed an opportunity to bring this up because it's still out there. I just did a search again on ActBlue. ActBlue is the aggregation engine for my colleagues on the Democratic—for the other side of the aisle. We have WinRed. So, we all have fundraising platforms to get low dollar donors.

You know what bothers me about this one? In spite of the number of times that I've talked about this in this hearing, it's still up there. Black Lives Matter wants you to run 13.12 miles. You know why? Because 1 3 1 2 translates into ACAB, which translates into all cops are bastards that is still on their website.

We're coming in here questioning their motives. When we've got people out there raising money, telling people to run around police departments, run through those communities and treat police officers like they're the criminals, excuse me, versus the heroes that I think they are.

So, my colleagues who use ActBlue to raise money, fine. I use WinRed, would you please tell them to get this garbage off their website and calling all cops bastards. Now, how's morale?

Mr. CLEMENTS. Certainly, in traveling around the country to major stakeholder groups. In many agencies police officers do feel demoralized.

Senator TILLIS. How's recruiting?

Mr. CLEMENTS. Recruiting is difficult, and—

Senator TILLIS. How are retirements?

Mr. CLEMENTS. Our retention is an issue.

Senator TILLIS. Right. How many major police offices have a shortage of officers that are out on the beat today?

Mr. CLEMENTS. Many.

Senator TILLIS. Yes. Is it getting better?

Mr. CLEMENTS. It is getting better.

Senator TILLIS. Why?

Mr. CLEMENTS. I mean we were asked—we were asked to run the—with the bully pulpit of this office, a convening session by the attorney general Merrick Allen, to give guidance and practical advice to agencies around the country, small, mid-size and large, about how they can enhance their opportunities to recruit and retain officers in the field.

And that guidance is practical. It's very good advice. And I think we're starting to see a little bit the light at the end of the tunnel in that area.

Senator TILLIS. How can we be helpful?

Mr. CLEMENTS. So, look, I mean, it's always about—the work we do is about community—criminal enforcement and community engagement. And this Committee can be helpful with continuing to fund the COPS Office.

I can tell you, in traveling around the country, not only police groups—major police groups who are the tip of the spear in reform around this country, and we are too, that what we can do is continue to fund COPS Hiring Programs or continue to fund programs that drive at violent crime. Continue to fund programs that drive at building trust in legitimacy, in communities, and building relationships.

Because the data all shows that advancing public safety through community policing absolutely drives to better statistics in relationships, number one and number two, in bringing crime down. And I lived it, I was a police officer 38 years. And I can tell you in my time as chief, if you were to tell me prior to my arrival that if we cut arrest in half that we would have less crime. I may not have believed that in the beginning, but that's exactly what we did.

Through community policing programs, we were able to cut arrests and to cut crime.

Senator TILLIS. I'm a big believer in it, and particularly in the more at-risk communities. I think that it's—you know Senator Booker was referring to Black and brown communities and in New Jersey, but I've actually seen very successful programs when police officers are embedded in community building trust in Black and brown communities.

We need more of it. We need the resources to make sure that you can do that. I think it makes communities safer. It makes minorities more likely to trust police officers, engage with them. I've seen that with illegally present people. Community policing lets them feel comfortable as they're being exploited. And these communities of color.

You know, Mr. Chair, I don't often get angry, and I'm not going to go over time, but I have to say that this is a chance for my colleagues to put to bed this idea that even some—to say all cops are bastards is just really angering to me. And that's what they say.

[Poster is displayed.]

So please, before the next hearing that we have, please tell me that somebody on this Committee or in the Senate will go to ActBlue and say, this is not helpful. And as a matter of fact, this sort of activity, this sort of message, makes the very Black and brown communities that we want to make safer, less safe. Thank you, Mr. Clements.

Chair DURBIN. Mr. Clement, for the record does your agency have anything to do with ActBlue?

Mr. CLEMENTS. No.

Chair DURBIN. No, I'm sorry. I didn't hear you.

Mr. CLEMENTS. No. No, sir.

Chair DURBIN. I don't either. I know that the Senator's upset about this situation.

Senator TILLIS. Well, Mr. Chair, it's only—it's a matter of record. I could go through and provide for the purposes of the Committee, if we want to report back on fundraising efforts where ActBlue was used for Members of the Senate. I'd be happy to do that. I'm not

trying to do that. I'm trying to end this objectionable practice by a platform that should exist. This should not be a part of you all's brand.

Chair DURBIN. I don't believe the COPS program is responsible for that. Senator Klobuchar.

Senator KLOBUCHAR. Thank you very much, Senator Durbin. Thank you very much Director Clements for being here. I have one focus today and that is to get this bill done. And I appreciate that Chair Durbin has called this hearing so we can talk about oversight. And I appreciate the information and the information that I know will be forthcoming in answer to some of the questions.

But enough is enough. A year ago for COPS Week, we passed amendments to the program, and we still have not marked up this program. Despite having Ranking Member Graham supporting the bills, Senator Tillis, Senator Coons, many other have stated their support. It is long overdue.

Yes, we get appropriations year after year. That's why you're in business when we'll give to your good work in what you are doing. But at some point, we have to actually reauthorize this program and make very clear where we stand. The communities in my State, listen, I am supportive of Senator Booker's efforts on reform. A number of pieces of legislation, as you know, have passed in States across the country and in cities and the like. And it's very important.

I come from a State where George Floyd was murdered, but at the same time, what I am seeing right now is a lack of law enforcement in the very communities that we need to help the most. They want law enforcement. In my State, in the city of Minneapolis, they had a vote on defund. And it was the communities of color that opposed defunding the police because they understood that they needed the funding.

This program that you oversee adds funding to help the police. I was reminded of how important this is at a funeral that I attended of Burnsville Police Officers, as you know, who were just murdered in cold blood, Paul Elmstrand, Matthew Ruge, as well as paramedic Adam Finseth.

You know what they did? They were called to a scene in the middle of the night and they got seven kids out of a house in a horrible, chaotic situation. And then they were killed, and the paramedic was killed trying to rescue one of the police officers. They were heroes.

So, I don't think for 1 minute we should forget the officers, every single day who go to work and put their own lives on the line. Reform. Yes. Accountability. Yes.

But at some point, with the recruitment problems we're having, with the retention problems we're having, particularly in major cities in this country. We made on a bipartisan basis to stand with the program that does not involve increased criminal penalties. It has been a program for decades that had basically just said, we're going to help local communities to get some more police officers on the street and to bring down crime.

Last year, nearly 400 different law enforcement officers relied on the COPS Grant Program to hire over 1,700 full-time law enforcement officers. And since its inception, the COPS Hiring Program

has helped fund 138,000 law enforcement officers. So, my first question of you Director Clements, is can you speak of the severity of the ongoing recruitment and retention crisis nationally?

Which, by the way, big time includes rural areas as people are poaching each other, they have no choice because less people are going into law enforcement. Could you talk about the ongoing recruitment retention crisis and how the COPS hiring grants are essential to keep these departments afloat?

Mr. CLEMENTS. Thank you, Senator. And thank you for your continued support of the work that we do in the COPS Office. And this entire Committee, thank you for your support. It's invaluable to the field. And so, this convening session that we were tasked to run along with our colleagues on the OJP side, BJA, we ran that convening session that put out some very good practical guidance to municipal leaders and police leaders on how to beef up their recruitment efforts and how to sustain retaining officers who are in their communities.

And we looked with a wide lens, from small and rural organizations to big, large cities like with tens of thousands of police officers. And, the guidance in that publication is invaluable. And I think it will lead to greater numbers going forward, including looking at it with a wide lens. Like looking at maybe take home cars for officers, maybe relocation costs, costs for the officers.

Certainly, an issue is salary and benefits in updating their collective bargaining agreements in certain communities where, I mean, police officers want to work in a community where they're supported both by messaging and they want to work in an agency where they're supported by benefits and salaries for the difficult work they do in their communities.

Senator KLOBUCHAR. You speak to—there've been a number of studies that show having the police officers that are giving them tools and technology they need, the training, which we know based on some of these cases around the country is critical.

Multiple studies demonstrate that investments in police department through the COPS Grant are associated with reductions in crime. Can you speak to how the evidence demonstrates that investing in law enforcement through COPS Grants reduces crime?

Mr. CLEMENTS. So there have been several pieces of research and evaluations that have identified that. And I believe that, you know, and we certainly can forward all of them to this Committee—Members of this Committee and your staff. And I'll tell you, as far as the training we do in the COPS Office, it's a three-legged stool. It's grant so it's not only financial assistance to agencies around the country, but it's training and technical assistance.

And probably most important are the publications and resources that we put out to agencies around the country. That has been a valuable tool, not only to police leaders, police agencies, but to communities.

And at the end of providing all of these resources, we do surveys. And the data has been astounding, is to the value are received by police officers receiving that training and the feedback from communities has been strong.

Senator KLOBUCHAR. Very good. Senator Graham—now one last question here—Senator Graham asked you about fentanyl, and I

have looked at this and I know that you have been able to use—without amending the program—that you’ve been able to use the Anti-Heroin Task Force—COPS Anti-Meth Program, toward investigations into fentanyl as well. Is that right?

Mr. CLEMENTS. That is correct. So the anti-heroin, anti-methamphetamine, and it does include fentanyl as well, and it’s harming to a significant degree communities around this country.

Senator KLOBUCHAR. Exactly. Okay. I want to thank you. Thanks, Senator Murkowski, for leading this bill with me, our Members who’ve been supportive. It’s time to get it marked up.

And I’ll just end by, at that funeral service for those officers and that firefighter, the police chaplain spoke and he actually said, despite how difficult it is to be in policing right now, and given the solemn moment, we are at in this memorial service, it is still a career worth going into and asked young people to join the police force in the name of those three men.

So that’s what I carry with me, and that is what my mission is to get this bill done. Wall reform efforts continue to go on across the country. But all this bill is about is making sure these grants go out and getting the information from you, which I know that you have on the effect it has on reducing crime. The huge need right now we have for retention as well as any other information we need.

I know you do a lot of collecting the information. I hope we can get it to the Members and we can go on and mark up this bill and just stop talking about it and stop saying how in supportive we are when we won’t even vote for this basic federal program that has been working. So, let’s stop amending it and start actually passing it.

Chair DURBIN. Senator Blackburn.

Senator BLACKBURN. Thank you, Mr. Chairman, and thank you so much for being with us today. I think each of us are concerned about the rise in violent crime we have seen in this country in the last few years, and here in DC, with the budget being cut, \$15 million for the police force.

And then you see this escalation rate we’ve all known of staffers and people that work on the hill that have had carjackings or muggings. Michael Gill who had worked for the Trump administration, was killed during a carjacking, and leaving his wife and his three children.

So, I think you’re probably with me and many of my colleagues that disagree with what has happened in defunding the police, and the causes that have been there and this rise in violent crime. And indeed, I’m from Tennessee, Memphis is a city that has seen a 42 percent increase in juvenile crime, and we are continuing to work with leaders there to address this issue.

And Senator Cortez Masto and I have a bill, The AFTER SCHOOL Act, that would deal with that period of time from 3 p.m. to 6 p.m., when localities need to have afterschool programs in high crime areas so that kids have somewhere to go, so they don’t become associated with gangs.

And we know that juvenile crime is plaguing a lot of our cities. So, I’d love to hear what you are doing to target that rise in juvenile crime?

Mr. CLEMENTS. Thank you, Senator, for your support in identifying that. So, in communities around the country, there is concern with violent crime and it's localized. And I'll tell you that, that shows the value of the COPS Office. And hearing from chief executives of law enforcement after conversations with their communities—what is important in their communities.

We know from the data recently released by the FBI from the 2022 to 2023, which the violent crime is actually trending down. As well as a study done by the Major City Chiefs Association of the 69 cities that they represent. Violent crime is going down.

But that means nothing to individuals in the community that are experiencing an increased level of carjackings, an increased level of violent crime. That is exactly where the value of the COPS Office is provided in listening to individual agencies is what is their biggest concern in how can the Federal Government, and how can the COPS Office be that force multiplier in assisting the local agency with not only funding grant dollars, but resources as well in the form of training and technical assistance.

Senator BLACKBURN. Well, and dealing with these juvenile offenders and juvenile violent offenders is important. And I have done a bill Keep Violent Criminals Off The Street, that would deal with this cashless bail issue. I know in Memphis and Shelby County, one of the issues has been a soft on crime prosecutor, soft on crime judge and letting people go with no cash bail.

And so, we have legislation that would keep them locked up and keep violent offenders, whether they're a juvenile or not off the streets. And I would love for you to talk for just a minute about this policy of cashless bail and the effect that is having on violent crime?

Mr. CLEMENTS. So again, the mission of the COPS Office and the role that we play in the community is providing agencies, the resources they need to attack the criminal problems in their community. The funding that we have goes to the police leader, to the police agencies that has to have a plan, a comprehensive plan, an innovative plan.

I will tell you that the needs far outpace the funding. There are many agencies that put in for the COPS grant. We just cannot support all of the agencies that apply. So, whether the local agency has an issue with their prosecution doesn't fall into play. What comes into play, is how they're going to address their particular crime problem, whether it's carjackings, an increase in retail theft, an increase in whatever violent crime.

Senator BLACKBURN. Right. Yes. I realize that. But I think the overriding point is this, if you have movements like Defund the Police, if you have this rhetoric that is going on about disrespect the police. If you have officers retiring because of that. If you have officers that are frustrated, because they have prosecutors and judges that will not keep criminals locked up.

Then that has the effect of producing results that the COPS Program then issues grants to try to deal with and, to address these problems that arise in these communities. I'm over time. Thank you for being here. Thank you, Mr. Chairman.

Mr. CLEMENTS. Thank you, Senator.

Chair DURBIN. Senator Coons.

Senator COONS. Thank you, Mr. Chairman. And thank you Director Clements. Let me just start by making sure I heard you correctly. Violent crime across the country is down. Is that accurate? Is that based on FBI statistics?

[Points at witness.]

Mr. CLEMENTS. It's trending down, correct.

Senator COONS. And it's been trending down over the last several years?

Mr. CLEMENTS. No, just in—I'm not sure the exact—I believe it was 2022 to 2023. There was a huge uptick 2020 and 2021.

Senator COONS. The single largest federal investment in public safety and law enforcement was the American Rescue Plan. Is that correct?

Mr. CLEMENTS. Correct.

Senator COONS. And President Biden signed in the law of the Bipartisan Safer Communities Act, which was the most important gun safety bill in 30 years. I just—at the outset, one of the things I have a hard time with is a continued drumbeat that suggests that this administration is somehow for defunding the police, when in fact they have advanced funding proposals that are among the most significant in American history for the recruitment, the retaining, the retention, the training, and the deployment of police.

I was a county executive in Newcastle County, Delaware. My predecessor in this seat now, our president was a co-author of the bill that created the COPS Program. And over three decades, it's deployed 20 billion in grants and helped hire 130,000 officers in my county. Cops Grants were critical to our being able to keep, retain and train officers and get them on the street.

And COPS grants have helped provide mental health services to officers, up-to-date training for how to deconflict, and how to reduce conflict, keeping kids in school safe and keeping small agencies fully staffed.

Ahead of this hearing, I asked law enforcement officials in my State what COPS has meant to them. One police chief raved about the program saying he was only able to keep his force at strength and to meet the crime needs in his community because of this program.

Another said that these are objectively difference making grants in our community. Despite some of the successes of this program, there are real challenges in recruitment and retention across the country. There are real challenges in public service of all kinds, at all levels, but in policing in particular.

My Recruit and Retain Act, which I'm leading with Senator Fischer and which passed the Senate unanimously, would allow COPS Grants to support partnerships between law enforcement and schools to help create a stronger—a career pipeline, a hiring pipeline for students potentially interested in policing. And would allow COPS Grant funds to go to the overhead costs that come with administering and fully complying with COPS Grant Programs. In your experience, what are the strategies that have worked to create sustainable diverse recruitment pipelines for officers?

Mr. CLEMENTS. So, the strategies that have worked on that front as the local community policing executives working with their community are using guidance from the federal level—I couldn't agree

more. The Safer American Plan has dedicated a ton of necessary funding to this office to push out to agencies around the country. This year alone, we look to push out \$1.3 billion in awards with our colleagues and partners over in BJA on the Office of Justice program side.

Important critical funding that you've identified from police leaders in your own State and again—so we need to be creative in how we recruit going forward, and maybe look at non-traditional type candidates. I think many agencies are going toward a testing format that identifies those particular individuals to make sure.

And we did it, where I came from, to really diversify the force to ensure that we had a force that truly reflects the community. And one academy that we had graduated—a large academy—that spoke 14 different languages in a very diverse community. And its paid dividends, and it built capital in the community.

Senator COONS. I'm familiar with Providence. My dad lived in Rhode Island for a number of years. It is a tough town. It's an incredible, great diverse town. And having a diverse police force that actually represents the communities being policed is critical to improving community police relations. Last question. Sometimes it's the smallest departments that most needs COPS grants, but most struggle to sustain them. The paperwork, the oversight, the compliance, and the sustainment. What can we do to balance that to help smaller departments navigate the recruitment opportunities that a COPS grant brings but also fully comply with the obligations of oversight and making sure that the commitment to auditing and to monitoring is fully met?

Mr. CLEMENTS. Great question, Senator. And it has been a focus and commitment of this office over the years to move in that direction. There is on the COPS hiring side the COPS Hiring Grant, there is a stipulation mandated that 50 percent of the funding goes through agencies with a population of less than 150,000.

And we've been very conscious on our side when awarding grants to ensure that we're spreading out the grants by States, and by type and variation of an agency. As we know, most of the police agencies in this country have less than 50 officers and a huge percentage has less than 20 officers.

And they are oftentimes communities that are least financially able to add one officer in a department that has a composition of 8 or 10 is a huge lift. And we've been very conscious of that. And I think if you look at the data from our side, you'll see that we've done well in that arena and spreading it out to the small and rural.

Senator COONS. Thank you, director. I look forward to finding a path forward. I'm a co-sponsor of this bill. I think we should reauthorize the COPS Program. I think we need to make sure that it is being put to positive public purposes, that it is transparent and accountable.

But frankly, I've had personal experience with the difference it's made in my State, in agencies large and small. Thank you, Mr. Chairman.

Chair DURBIN. Thank you, Senator Coons. Senator Grassley.

Senator GRASSLEY.

[Audio malfunction occurs.]

Director Clements, I was at Budget Committee responses or opening comments, I'm sorry. The COPS Office has thoroughly vetted vetting measures for grantees. All grantees must provide quarterly financial reports and semi-annual performance reports to your office. This is done—this is—was something wrong, I'm sorry. I'll start over again then. Can I have my full 5 minutes? Okay.

The COPS Office is thoroughly vetting measures for grantees. All grantees must provide quarterly financial reports and semi-annual performance reports to the COPS Office. This is done so any problem may be caught and addressed early, and if a grantee is not complying, their funding will be terminated.

But some of these reporting requirements have proven burdensome for small and rural law enforcement offices that can't afford to have a full-time grant writer on staff to apply and comply with the grants. What steps have you taken to make sure that smaller and rural law enforcement can comply with the requirements of the COPS Grant Program?

Mr. CLEMENTS. Thank you, Senator. And an important question, and I'll tell you that members of the COPS Office on the grant application side work very closely with members of these smaller agencies. We've made a focus and a commitment to attract these type of agencies for dollars that are sometimes the most needed in these smaller type agencies.

You no longer have to have a professional grant writer to attain a grant from the COPS Office. In fact, we have members of our team that walk an agency or agency's leaders through the process. Certainly not without giving them an edge, but walking them through a process where they don't need a grant writer to effectively apply for and be awarded a grant. In fact, there are many agencies that do not have a grant writer who have been awarded COPS Office grants from small communities.

Senator GRASSLEY. To you, again, the Government Accountability Office found that COPS Office Hiring Program, the grant application and monitoring process could be improved. GAO made two recommendations, both of which the COPS Office have implemented. So then, as a followup to those implementations, what improvements has the COPS Office made under your leadership to the COPS Hiring Program, application, and monitoring process?

Mr. CLEMENTS. So, of course, you know, in the work I did previous and now in the work in leading this office, compliance and oversight is important. And we need to look at that data and that information and that critique in a way that's going to improve the level of services that we're providing to the field.

It's important for us to be prudent with the taxpayer dollar and respect the fidelity of the funding and thankfully given by the Administration and Congress, and we appreciate that.

So, the information and critique we get from the auditing agencies that overlook the COPS Office is important, and we agreed on that particular audit that you're referring to with all four recommendations, and are moving in a positive direction to rectify each one of them.

And that's always going to be the case. I mean, it's important to have another set of eyes. We do the quarterly and semi-annual progress report review and an ongoing review throughout the en-

tire year. But then as well, we have another set of eyes look at the auditing of the grants. And that's done by another agency on the OJP side. And that's—we've done that. The federal mandate is 10 percent, each year, the COPS Office—even prior to my arrival—has exceeded that 10 percent required number mandated by Congress.

Senator GRASSLEY. The COPS Office publishes something entitled Law Enforcement Officers Shot in the Line of Duty. That's a report. This is part of legislation that I led with Senator Cardin and other Members of this Committee. The latest report shows that a total of 331 law enforcement officers were shot in the line of duty during calendar year 2022, nearly 60, more than in 1,919 before the Defund Police Program.

While I'm pleased to hear some of my colleagues recognize that a main cause of this violence against police is a demonization and disrespect shown to the profession, it's not enough.

So, Director Clements, I led a bipartisan effort improving Law Enforcement Officers Safety and Wellness through Data Act. My bills on existing reporting requirements and fills gaps to increase our understanding of circumstances precipitating and involving ambush style attacks against law enforcers.

So, to you, how important is it to better understand the factors contributing to increase in ambush attacks against police, so we can stomp stomp out this scourge on our society?

Mr. CLEMENTS. Thank you for your support and eventual passage of that bill. It is critical to the field in this inherently dangerous job performed in the field. And we through our provider on that National Blue Alert Program the FOP, we recently released the 23 numbers—2023 numbers.

And disappointingly, they're higher than 331. They went up to 378. And of those 378 police officers who were shot 115 were by ambush style. And in those 115 episodes, there were 136 police officers who were shot. I can't say thankfully, but—and I shouldn't use the word only—but of that 115 episodes, and 136 shot 46 died, succumb to their injuries.

But that's only because of the great medical trauma improvements that have been made over the years. So, you know, that's a positive. But the real negative is these ambush style attacks on police officers, that National Blue Alert Program has been adopted by 38 States. It should be adopted by every single State.

It works along the same lines as an Amber Alert, where if there's an inherently dangerous situation where a police officer has been injured, shot, killed, or there's an inherent danger to the police and the community, the information goes out to local law enforcement agencies in that State, like the Amber Alert, it goes to the media, it goes to the public, and it's a great program.

And thank you for you know, the passage of that program. And it's going to good use, or the data is important. Data is always important. Unfortunately, it's going in the wrong direction.

Chair DURBIN. Thank you, Senator Grassley. Senator Hirono.

Senator HIRONO. Thank you, Mr. Chairman. Director Clements, to some extent, COPS grants can seem to us on the outside as a bit one size fits all. As one example, I believe the grants seem to cover salaries and benefits are fixed nationwide, despite radically higher costs of the living in Hawaii.

As another example, some police departments have adopted modern use of force guidelines, while others have not. How does your office work to tailor COPS grants to the needs of local communities? And can we do anything legislatively to enable more precise local tailoring?

Mr. CLEMENTS. Thank you, Senator. That absolutely is a concern on our side as we look to award agencies who have applied, and again, the needs far outpace the funding. And with that dollar amount of 125,000 per officer for the term of the grant, it's a different variation as you go from community to community where some of the mid or larger size agencies have a higher salary commitment. So, it's a burden to those agencies. And as well, I'm sorry, I forget the second portion of your—

Senator HIRONO. Well, it's basically about tailoring of—the second part had to do with the example I gave of some police departments have adopted modern use of force guidelines, but others have not.

Mr. CLEMENTS. Yes.

Senator HIRONO. And the question is whether your office does something to pretty much you know, to encourage—

Mr. CLEMENTS. Importantly.

Senator HIRONO [continuing]. Other departments who receive these grants to adopt those methods?

Mr. CLEMENTS. So it's part of the metrics for the total number of agencies that apply for these grants. Again, it's very competitive. Those agencies who put forth the best plan, the most innovative plan with their communities, the community engagement they have, the community partnerships they have, but as well, their policy internally in the department, their policies as it pertains to use of force, as it pertains to de-escalation, training in their agencies, and in particular items like duty to intervene. And just providing the level of training that benefits the officers responding to these critical calls, number one.

And but number two to enhance the relationships in the community and to build that trust and legitimacy that is ever important to building a community oriented policing agency.

Senator HIRONO. So, is it that your office does not require conformity regarding certain standards from the police, such as what is it duty to intervene in some of the other kinds of practices that your office does not require conformity?

Mr. CLEMENTS. We do not—

Senator HIRONO. For the police departments?

Mr. CLEMENTS. We do not require, however, there are 18,000 police organizations in this country. We give priority consideration to those agencies that have that in their policy. And I will tell you with the volume of requests we get for grant funding, everyone gets training and technical assistance, and everybody has access to our 796 publications and resources.

But on the grant side, the needs far outpace the funding. And I will tell you, in each of the buckets of grants that the COPS Office delivers, that those agencies that do not have those type of policies are not receiving the grants.

There's so many priority considerations given for the priorities of the executive order and the administration that those are the agencies that are rising to the top.

Senator HIRONO. You said that there are about 18,000 police agencies and entities?

Mr. CLEMENTS. Yes.

Senator HIRONO. Eighteen thousand. How many are receiving grants—COPS grants?

Mr. CLEMENTS. Well, last year for the COPS Hiring Program, I think there were 654 applications, 394 were given the green light and awarded to the tune of 1,730 officers.

Senator HIRONO. So, when you say that the need for far outpaces, the resources, this is a very big need outpacing. So.

[Laughter.]

Mr. CLEMENTS. We funded about 1,100 agencies last year, last fiscal year, and there's 18,000 agencies. Correct.

Senator HIRONO. I think we need to take a look at providing more adequate funding. Hawaii's 988 service provides 247 free support services for crisis intervention, mental health support, and substance use treatment, that can serve as an alternative to calling the police to address the mental health crisis.

So, are there sufficient authorities in place for the COPS Office? Do our grants to these types of community-based alternatives that allow communities to deploy police only where they're needed?

Mr. CLEMENTS. So underneath the community policing development side of our grant opportunities are a very necessary and needed part of that crisis intervention teams.

And they're great examples of crisis intervention teams around the country that were in place prior to 2020. However, since 2020, there are many agencies that lacked, and there was a gap. So, we do have—and we're thankful to Congress and the administration for the funding to increase the funding for agencies to adopt crisis intervention teams as it relates to the conversations with their community.

Because quite frankly, many of the social ills have been placed squarely at the feet of police. And oftentimes, they're not the best trained, equipped or resourced to respond to those needs. Absolutely. We need additions in every police agency for clinicians and mental health workers.

Senator HIRONO. So, you don't need further authorities as much as you need resources. Thank you.

Mr. CLEMENTS. Correct.

Chair DURBIN. Thanks, Senator Hirono. Senator Padilla.

Senator PADILLA. Thank you, Mr. Chair, appreciate the dialog that this Committee has had today as we're looking at community-oriented policing, which Mr. Chairman, I think I may be not, if not the only one of the few Members of the Committee that have had experience with the COPS Program.

Not just through federal oversight role, but in the past as a local government official. Drawing funding to the city of Los Angeles to help hire additional police officers. So, I appreciate the program for the multiple dimensions that it tries to serve.

Most people focus just on the ability to hire more police officers, which is necessary. A lot of local jurisdictions struggling to have

their budgets meet the need of the number of personnel they need to patrol and protect communities.

But it is equally important in this conversation, in this program to focus on the community oriented policing policies and strategies that have been developed and evolved. Would you agree with that, Mr. Clements?

Mr. CLEMENTS. 100 percent.

Senator PADILLA. Okay. Thank you for that. So, in that spirit one technical question, just to get out of the way, I knew that from the outset of this program, maintenance of effort by locals was imperative to receive this additional federal funding. It's meant to compliment not to supplant local dollars. Is that still a requirement?

Mr. CLEMENTS. That is correct.

Senator PADILLA. Okay. And I think, not sure if the City of Newark, New Jersey was a recipient when Senator Booker was mayor, but he may appreciate that same dynamic as well.

So, just two examples I wanted to share with the Committee of how recipients in California have advanced the thinking on community policing strategies. One being the city of Santa Rosa, where program funds helped create an outreach team dedicated to addressing homelessness and promoting positive community engagement.

Another in the City of Hayward, California Police Department established a multi-agency safe housing program that addresses problem properties through holistic and community-based approaches.

So, this is the kind of thinking—success stories that I think we need to elevate and share more of than just talking about the dollars and cents and how many more women and men we can put in uniform.

So, Mr. Clements, can you share with the Committee how some of these initiatives and success stories are shared across jurisdictions?

Mr. CLEMENTS. So, not a surprise that those agencies have been recipients of COPS awards because upfront they had a very comprehensive, innovative proposal put forward and realize grant awards. And then we're able to carry out that function in their community.

But as well, it's not only about getting the grant and allowing that agency to succeed in their own jurisdiction, in their own State, it's important to lift up that community of practice. And we do this around the country. And, again I travel all over the country speaking to the larger stakeholder groups, International Association, Chiefs of Police, Noble, the union organizations, the Paternal Order Police—

Senator PADILLA. So, you're talking about attending other people's events. My specific question now is, are there any formal structural mechanisms in your office or in this program that facilitates that best practices or information sharing?

Mr. CLEMENTS. Yes. Through our, you know, the third leg of the stool of the COPS Office, grants, training and technical assistance, so publications and resources. So, we lift that up through our resources, through the publications. To date, over the years there, 796 publications. They're extremely well done. They're accessible

on, and as well, we have a podcast and a beat and a newsletter where we lift up those great examples.

Senator PADILLA. Can you point in any of those three legs of that stool, specific examples of how you and your office are working with law enforcement to build trust in every community? We know that fair policing is important. What are you actively doing through the office and any of the initiatives to address historic bias in some law enforcement agencies, and increasing police accountability?

Mr. CLEMENTS. Senator, every single one of our programs, not only the grants, but if you look at our publications training, every single one of them touches upon the items that you just brought up, including de-escalation, including bias in the community, and building that trust and legitimacy.

It's a requirement to be administered a grant. But not only that, if you look at our publications and the material we put out, it's integral to everything we do in the COPS Office, and that's why it's held in such high regard and of great value in the field.

Senator PADILLA. So, just in closing, appreciate you sharing that. I know this was part of your response to Senator Booker's line of questioning as well. I echo his requests for better data collection and gathering. And as he has, I sidebar for a minute, I was sharing with him my experience as a once upon a time member of the Los Angeles City Council, when we entered into a consent decree with the Department of Justice for what they had found—a pattern of practice, of excessive use of force within the LAPD after years of compliance came out of the consent decree.

But I reference that only because, in a consent decree—that was the first of many across the country—there is required—federally required data collection. To the points that Senator Booker was making.

So, I just encourage you, if we're looking at examples of what types of data to gather, how to analyze, how that can inform future policies, there's that minimum one source for your consideration. Thank you, Mr. Chair.

Mr. CLEMENTS. Thank you, Senator.

Senator KLOBUCHAR [presiding]. Thank you, Senator Padilla and next up, Senator Ossoff.

Senator OSSOFF. Thank you, Madam Chair, and I'm happy to yield to and follow Senator Butler, who I think has been here for a while and may have an upcoming obligation, and that's—

Senator KLOBUCHAR That's correct. So, Senator Butler.

Senator BUTLER. Thank you, Senator Ossoff. Oh the generosity of my colleagues. Thank you, Senator Ossoff, I really appreciate it.

Thank you, Director Clements, for your time and service at the COPS Office. And I think informed by your time and service in the uniform. And I think it is important that in these hearings and at every opportunity, we recognize the service and sacrifice commitment of our law enforcement officers, and we do everything that we can to support them and to make sure that they are working with the community to get to the level of public safety that we all deserve.

I guess what I appreciated about your remarks were how you described the three-legged stool. There's the grants and, you know,

there's been a lot of conversation about the grants. There's the research and technical assistance, and then the publications.

I wanted to apply my sort of line of questioning maybe across all three, because ultimately just to not bury the lead, I want to try to understand what it is as a new Member of this Committee that I—how it is that I, and this Committee can actually help to ensure that you have the tools that you need to get to the kind of analysis and true support that I think those 18,000 agencies across the country really need from you.

And so, what, like, just a topical question. So, do you have the capacity—you said that when there are applications that are submitted there's got to be a comprehensive, innovative plan that is a part of those, those application and grant processes. Are there requirements in the application process for post action reporting?

Mr. CLEMENTS. So, yes, there is, and again, so there's ongoing review but post action as well.

Senator BUTLER. And then do you think that you have in your agencies, the tools, program staff to make sure that there is timely—timely being the operative point—timely analysis of the hundreds, if not thousands of grants that you and your agency award on a given year.

The analysis of the training and technical assistance, the overall impact, do you have in your department, the resources to do that timely analysis and then therefore timely communication about those best practices that are happening across the country?

Mr. CLEMENTS. So, yes for the most part by the requirements mandated by Congress, which is to monitor an enhanced level, the 10 percent are in a very deep dive into what we're realizing as an agency in the field. So, you know, we have that quarterly, semi-annual progress report, the routine monitoring as the cost of the grant moves on, and then as mandated by Congress that 10 percent, which we exceed, and we did \$139.2 million last year, which was more than the 1.34 billion, more than the 10 percent that we had in the field.

Senator BUTLER. So less—I'm asking the question less about like the dollars and cents kind of question, but more outcomes impact kind of question. If you have 600 agencies, I think was a, a round-about number that, that were awarded last year. And 200 of them were funded through, up to focus on community intervention teams. Do you have the timely—the resources to say, okay, of those 200 grants that were awarded focused on community intervention teams, here were the themed bucket lessons that were learned, here's the best practices, here's what worked. Here were the outcomes that were focused. We were able to hire, you know, 200 more women, we were able to enhance language capability of X number of communities.

Do you have the ability to—in your office understand in a timely way and a in a relevant way for those agencies that are depending on this—these kinds of, of services and grants to actually communicate how best they can achieve those similar outcomes of those agencies? Just sort of a little bit of testing, modeling analysis. And I assume that is the purpose of the kinds of research and publications that you want to offer.

Mr. CLEMENTS. So, I appreciate the question, and I don't want to dodge the answer, so I want to give you a real answer that, look, we get a review at the tail end, and it depends on the specific metrics that would be looked for from the field, so we do that to the mandate of Congress that 10 percent.

But as far as a deep dive—on in that one particular event—we gave out 1,100 grants last year on all 1,100, no, only the 10 percent.

Senator BUTLER. I appreciate you not dodging my question and being direct in the response again, I really want to make sure that we have the resources—your team, have the resources to really support the outcomes that our officers on the ground are truly putting their lives on the line to achieve.

I don't want to put words in your mouth. But I think in the selection of the words that you offered back to me, there might be more room to—for Congress to ask for more accountability and to equip you with the tools to actually be able to share more of the learnings across the agencies through all of the legs of the stool that we as Congress have asked you to support those agencies.

And so, I hear that as a takeaway. I appreciate you for engaging in the conversation, and again, for your service and commitment to the officers across the country. Thank you, Madam Chair.

Chair DURBIN [presiding]. Thank you, Senator Butler. And—

Senator BUTLER. Sorry, sir.

Chair DURBIN [continuing]. Just as a lesson that the Good Samaritan never goes unpunished. Senator Ossoff, who could now recognize Senator Whitehouse.

[Laughter.]

Senator WHITEHOUSE. Sorry, Jon. Let me just say, first of all, how very happy I am to see Colonel Clements here. I've known him since he was a sergeant, I believe, on the Providence Police Department. He brings the perspective of having led the police union of the Providence Police Department and led the Providence Police Department.

And having left both of those roles, both unscathed and with enormous affection and respect from the union membership, from the members of the police department and from the community where he was instrumental in maintaining solid, good trusting relations between the Providence Police Department and the various Providence communities that it serves.

So, it's a real treat to see you here, my friend. And I wanted to ask two quick things. One, the COPS Hiring Program and the grants that go out always got a lot of attention. But what are some of the best ways that the COPS Office works to build trust between communities and law enforcement that you were so instrumental in doing a great job with in Providence?

Mr. CLEMENTS. So, first off, always great to see you, Senator. Maybe not so much in this type of forum.

Senator WHITEHOUSE. We've had more fun, right?

Mr. CLEMENTS. Thank you for your words, though. But look the COPS Hiring Program is the flagship program, and I know it was integral to the work that we did in Providence. And I see now in this role, the importance of looking at the applications, once again, the needs far outpace the funding.

So, we get 654 applications for COPS Hiring Grants, and only award just under 400. Those other 200 agencies or so—250 we're needy of the COPS hiring. Only those applications with the greatest or the strongest plan of community engagement, community involvement, and what I saw from where I came from was, partnerships and building relationships across the board, across the community.

And we always include that as part of our application process. And I'm seeing now there are many, like agencies doing similar things. It's true, the word community is in the COPS Office for a particular reason. It is community policing. The word public is in public safety for a reason. It's, you know—it will always be that strong criminal enforcement, because people want to be safe. People want a community to live and thrive in, but they want it to be safe. So, it will be those conversations with the community—community informed conversations that drive the agency.

Senator WHITEHOUSE. And let's just be a little bit more specific in particular relation to the bill that Senator Cornyn and I worked on regarding de-escalation, and crisis intervention and strategic alternatives to the use of force. When we did that, we chose the COPS Program to be the implementer to work with and train agencies. How is that going?

Mr. CLEMENTS. It's going great. I can tell you the value in the field is well regarded. The interest is overwhelming. And I stood with you, I think it was in 2019 in the Providence Public Safety Headquarters, when you announced a portion of that, supporting and treating officers in crisis. The STOIC Act of 2019. I believe it's coming up maybe the end of this year or next year.

But it, it's integral to the work that we do in the field with having a co-response of trained clinicians working hand in glove with the police department to provide those services. The police officers oftentimes aren't the best trained, aren't the best equipped, but in that De-escalation Training Act, it imposed some very important terms like alternatives to use of force.

The training is integral, duty to intervene is important, and now incorporated in as part of training in most organizations, or, but there are still some that are lacking. That's why the funding for this type of award are so important to agencies around the country. I'm finding out not that every agency is doing it to the same degree of efficiency.

Senator WHITEHOUSE. Good work, getting back to the need for funding.

Mr. CLEMENTS. Thank you, sir.

Senator WHITEHOUSE. Mr. Chairman, thank you very much. Colonel Clements, thank you. Good to see you, sir.

Mr. CLEMENTS. Good to see you, sir. And Senator Ossoff, my appreciation for jumping in ahead.

Chair DURBIN. Senator from Georgia.

Senator OSSOFF. I considered yielding to Senator Welch, but I'm sorry, Peter. It's—I have limits.

Chair DURBIN. Too much to ask.

Senator OSSOFF. Thank you, Director Clements for your service and your testimony today. Communities across Georgia rely upon and appreciate the daily sacrifice of officers and deputies in our

State, who put their lives on the line, who make tremendous sacrifices and take risks. And their families make tremendous sacrifices as well to defend innocent people and to protect public safety.

And, you know, Mr. Chairman, I think we need to consider significant increases to this authorization, given the scope of need, given the violent crime that afflicts communities in my State and across the country.

This program is a vital part of our national effort to resource public safety and law enforcement, and to resource the kind of innovative programs that you've testified, you prioritize to build trust between communities and law enforcement. And so, I'm grateful to you for leading this program, just as I'm grateful to the officers and deputies in Georgia who keep us safe every day. I'd like to ask you, Director Clements, how do you measure success?

Mr. CLEMENTS. It's perception, I mean, it's not all about data. I mean, we can speak about violent crime being down whatever percent and shootings and homicides being down, whatever percent. And I lived it, when our numbers were increasingly descending downwards. Many in the community would say, but in this particular community, I don't feel safe because last week, so I think we measure fear of crime—

Senator OSSOFF. Well, forgive me Director Clements, I clarify the question. I mean, how do you measure the success of a specific grant?

Mr. CLEMENTS. We have—there's been all sorts of research and evaluations that have identified programs that we have put out in measured in fact that as one example, that an increase in arrest doesn't necessarily lead to an increase or a decrease in crime.

Senator OSSOFF. Forgive me if I'm not being clear, but if you make an award to a particular local agency, how do you measure whether the grant was successful?

Mr. CLEMENTS. So, they had their progress reports. We had the end of year report from that agency, and we forward all that information to our partners and OJP who have a more critical eye in reviewing—exactly to your question. And we put out publications with the research in what that information tells us.

Senator OSSOFF. Do those progress reports include as a requirement, metrics with respect to use of force, with respect to officer involved shootings, with respect to allegations of potential racial bias?

Mr. CLEMENTS. No. We are not an investigative agency with our grants and awards that we put out. There are investigative bodies within the department Office of Criminal Rights and Civil Rights.

Senator OSSOFF. And then one of the purposes of the program is in fact in the title of the program, is to promote community oriented policing. How do you measure, for example, whether a grant has successfully reduced negative interactions between the public and the local agency?

Mr. CLEMENTS. We have not done that on every single grant that we put out to answer your question directly. However, we measure that by their progress reports and by the evaluations we do with the community as well.

Senator OSSOFF. And when you say their progress reports, and you mentioned earlier, you get the review, are those progress reports generated by your staff or by the grantee?

Mr. CLEMENTS. By the grantee and reviewed by our staff. And we modify gaps that we see along the way where they're not complying with what they put forth in their original plan that they were going to do in their community. And those are measured by, you know, how many partnerships and what type of groups are they partnering with in their community. And, you know, there are many conversations after a grant is put out by our agency with community members.

Senator OSSOFF. Are the semi-annual performance progress reports made public?

Mr. CLEMENTS. No.

Senator OSSOFF. Why not?

Mr. CLEMENTS. I can take that back. There are some—with grants—with funding being put out by a federal agency, there are some stipulations with sensitive information from particular agencies.

Senator OSSOFF. You can redact the sensitive information.

Mr. CLEMENTS. It's a legal question that I can take back, but no, they are not public.

Senator OSSOFF. Okay. Will you followup with my team and the Committee about that, please?

Mr. CLEMENTS. Absolutely sir.

Senator OSSOFF. And the enhanced monitoring reviews are those results made public?

Mr. CLEMENTS. Same answer. No.

Senator OSSOFF. Okay. And you'll followup on whether and how and why not and what's in those reviews that might be?

Mr. CLEMENTS. I will Senator.

Senator OSSOFF. So just to make sure I'm clear, it doesn't sound like there is a clear set of metrics that are universally applied to measure the success of the grant. It sounds like it's a subjective evaluation based upon reporting produced by the grantee. Is that accurate?

Mr. CLEMENTS. No. There are clear sets of metrics that are reviewed by our staff, at the end, but they—maybe not every single metric that you or other agencies are looking for.

Senator OSSOFF. Yes. If you're trying to—and you have a mandate from Congress through this program to promote community-oriented policing and build trust between communities and law enforcement, why would you not collect, for example, use of force data?

Mr. CLEMENTS. We're not an investigative body, and I think that's been a challenge.

Senator OSSOFF. It could be self-reported by the grantee, couldn't it?

Mr. CLEMENTS. And we encourage that. And those type agencies are more likely to receive a grant and funding—they're all accessible for the free training, technical assistance and publications. But those agencies that do report, as I did in the agency I came from, we reported all of that data to the FBI and we're more likely to receive a grant than others who maybe don't.

Senator OSSOFF. Thank you, Director Clements.

Mr. CLEMENTS. We encourage that.

Senator OSSOFF. Thank you, Director Clements.

Chair DURBIN. Senator from Vermont.

Senator WELCH. Thank you very much. You seem pretty friendly with Senator Whitehouse, and you may want to keep that on the down low. All right.

[Laughter.]

Mr. CLEMENTS. Thank you, Senator.

Senator WELCH. You know, this is an incredibly popular program. And I think that's one of the reasons there's really never been a review of it. Every single one of our communities across the country really reveres our local police departments and in the public safety function that they perform. Even as there's challenges obviously from department to department.

And I know in Vermont we're enormously grateful. The grants that we've received have essentially gone into technology and have allowed for a much more robust communication system, which, as you well know, is really essential to the coordination of public safety responses.

So, we're there on that. The questions that are coming up and I share is not so much a skepticism about the program because we're all, I think, supportive of (a) the program and perhaps, (b) increasing funding for it. But the basic proposition that any program, whether it's food stamps or the Pentagon or public safety we ought to take—kick the tires and make sure that we're getting the taxpayers value. That's really, I think, the point of this.

So, I totally support scrutiny across the board when it comes to taxpayer dollars. And the question that seems to be coming up is your limited in what you do. You get applications, you review them, they have to check certain boxes to make certain that it fits within the category. But you're not an investigative body, as you said.

Yet, on the other hand there's a real relationship with the Department of Justice that can be an investigative body. And, you know, we do have in examples of departments like in Memphis, the Scorpion Program, where there was a lot of money that came from COPS. And whether that was directly related to Scorpion or not, we don't know to a San Bernardino when a poor hostage got shot.

And there's a number of instances where there's legitimate questions, about what were the practices. So, I guess the question I have is whether it makes sense and it may require some additional authorization here, or coordination with other elements of the Department of Justice for the COPS Program to have a capacity to look back.

Did this department that where something significant happened, like in Memphis or San Bernardino, is there something we should look at that was facilitated by the COPS Program where action should be taken? Or should we look ahead?

You know, there's been an emphasis on community policing which takes an enormous amount of effort and engagement with the police departments. But should that be part of a consideration that is in the application.

And then finally there's best policing practices. Those are always evolving. You've been in law enforcement for a long time, and I'm

sure things are different today than when you first started. So bottom line here does it make sense for the benefit of public safety to have your office have the capacity or in coordination with elements of the Department of Justice to look back, to look ahead, and also to promote through the grant process best practices within our police departments across the country?

Mr. CLEMENTS. Thank you, Senator. And first and foremost, as a foundation, I want to say that, you know, the men and women who work in the COPS Office, they are passionate, compassionate about the work they deliver to communities and law enforcement agencies, but probably more importantly, to communities.

We want to be the best fiscal stewards of the taxpayer dollar. And I'll say that. And another thing I'll say is look, going around the country, including in Vermont, I know many from my previous employee and know even more now, there are some tremendous law enforcement executives, who—in where I came from, has been part of my pedigree—it's about transparency. It's about are we achieving the mission that we really want to in the community?

So, I understand again, there are other agencies that perform that investigative type work. The mandate that we've had from Congress, we have complied with, with that 10 percent. We've exceeded that number each and every year. In my time here, it's only—I've only been here 1 year. We certainly exceeded that, and we'll continue to, but I understand and we want to be the best fiscal stewards of the taxpayer dollar that we can.

Senator WELCH. But elaborate a little bit on the part of being the best steward, is not just to make sure that the dollars were properly spent, it's about best practices. It's about improving the quality of our public safety situation. So that's where I'm asking about look back, look forward best practices?

Mr. CLEMENTS. Agreed. And I think, you know, we try consciously to put that out around the country because there is—there are some great practices around the country. There is a community of practice on a particular issue that we try to lift up in both future training and in our publications, because there are like problems depending on the variations of departments we have around the country, small, mid-size or large. But we want to be able to give guidance and those best practices to agencies around the country on a particular area, whether it's de-escalation, crisis intervention, recruitment, retention. It's important.

I will be the forever eternal optimist that this profession gets to a strong point in lifting up exactly what you are talking about, these best practices around the country. And I think in my time here, that's my commitment to use that to our advantage.

Senator WELCH. Thank you. I yield back. Thank you.

Mr. CLEMENTS. Thank you.

Chair DURBIN. Thank you, Senator. And thank you Mr. Clements. Let me just—I'd like to make two observations and the first is to thank you. You have been candid and direct in responding to the questions. You've been honest.

You've been you've said things so honestly that I think it's kind of stunned the Members of the Committee that you gave a straight answer on a lot of things. It speaks well of you and your operation at the COPS Program.

I can remember—and this program was created under President Clinton and the popularity of the program, I think a fellow by the name of Biden was in the Senate at the time and took great pride, great pride in this program and still does, I'm sure.

So, thank you for continuing that tradition. Now, what I'm about to say has nothing to do with the COPS agency, but it does have something to do with questions and statements that we've heard this morning.

This notion of politicians being soft on crime. I would like to put into the record the event of January 6, 2021, when an insurrectionist mob left a White House rally to come to Capitol Hill. And they proceeded to break laws, break windows, break doors down, and engage in conduct, which was disgusting.

I was here, most of us saw it firsthand. It's been my good fortune in my adult life to spend most of my time on this Capital Complex. And I love this Capital Complex and this building. I think it speaks to our Nation and what we stand for. It was desecrated on January 6, and as a result of that, there was a criminal investigation.

And more than a thousand individuals were charged with crimes as a result of that insurrectionist effort. What was even worse was that five policemen gave their lives in the process of it. And 140 were seriously injured. We're not making that up because we see the video. We saw what happened.

And now to have members of the political party that inspired that insurrectionist mob through the White House tell us that these individuals are somehow patriots, hostages, should be released from jail for what they did. I'm sorry, I don't see it that way. That is soft on crime to the extreme, to ignore what they did to our Capital building and endanger the lives of policemen and individuals who were here doing their job.

I just want to make that for the record. They selectively pick areas that were soft on crime, but they ignore what happened January 6 and the reaction of a candidate for President to that event.

Having said that, I thank you for your statement today and appearance before the Committee. We're going to have statements entered into the record without objection by the Fraternal Order of Police, National Association of Police Officers, and AFSCME.

There's no further business to come before the Senate. The Senate Judiciary Committee stands adjourned.

[Whereupon, at 11:47 a.m., the hearing was adjourned.]

[Additional material submitted for the record follows.]

A P P E N D I X

Submitted by Chair Durbin:

American Federation of State, County and Municipal Employees (AFSCME), COPS Oversight, letter	141
National Association of Police Organizations, Inc. (NAPO), Supports Fully Funding the COPS Program, letter	142
National Fraternal Order of Police (FOP), Strong Support of the COPS Program, letter	144
Rausch, David, COPS Program Reauthorization Act, statement	145



Department of Justice

STATEMENT OF
HUGH T. CLEMENTS, JR.
DIRECTOR
OFFICE OF COMMUNITY ORIENTED POLICING SERVICES

BEFORE THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

AT A HEARING ENTITLED
"OVERSIGHT OF THE COMMUNITY ORIENTED POLICING
SERVICES (COPS) GRANT PROGRAM"

PRESENTED
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Chairman Durbin, Ranking Member Graham, and Members of the Committee, thank you for this opportunity to discuss the oversight of the Office of Community Oriented Policing Services – better known as the COPS Office. The mission of the COPS Office is to advance public safety through community policing, focusing on collaborative efforts to prevent and respond to crime, social disorder, and fear of crime. The COPS Office has added community policing officers to the nation’s streets, enhanced crime fighting technology, supported crime prevention initiatives, and provided training and technical assistance to help advance community policing. To date, the COPS Office has provided grants to more than 13,000 state, local, and Tribal law enforcement agencies to reduce crime by advancing community policing. In all, COPS Office funding has supported the hiring of more than 138,000 law enforcement positions from the Orlando County Sheriff’s Department, to the Michigan State Police, to the Nevada System of Higher Education, and everything in between.

Over its nearly thirty-year history, the COPS Office has received bipartisan support as its annual funding enables it to implement priorities of the Attorney General and Congress, and incentivize the law enforcement field to align with the mission to advance the practice of community policing. The COPS Office provides comprehensive resources to advance public safety and strengthen relations between law enforcement and the community. The COPS Office is not only a grant-making component but also provides resources and assistance to help communities find the most promising practices to adapt for their local conditions and capacities.

The COPS Hiring Program (CHP) is designed to reduce crime and advance public safety through community policing by providing direct support to state, local, and Tribal law enforcement agencies nationwide. CHP funding supports the hiring of career law enforcement officers to increase an agency's community policing capacity and crime prevention efforts. Almost thirty years after the Violent Crime Control and Law Enforcement Act of 1994 was signed into law, the COPS Office continues to support the efforts of law enforcement agencies across the country as they develop creative and innovative ways to deal with long-standing public safety issues.

CHP is the COPS Office's flagship program and has a long history of promoting police-community partnerships for the express purpose of crime reduction through effective community policing. Through CHP, the COPS Office is supporting our nation's front-line heroes by providing them with needed resources and expertise to enhance local community policing strategies and tactics. The COPS Office requires hiring grant applicants to submit a comprehensive community policing plan outlining their current commitment to community policing and how they plan to advance their efforts through additional funding; asks applicants to specify public safety issues that they will target with hiring funding; and provides technical

assistance on specific challenges identified by grantees, such as Gun Violence, Building Legitimacy and Trust, Combating Hate and Domestic Extremism, and improving Police-Based Response to Persons in Crisis.

The COPS Office Community Policing Development (CPD) funds are used to develop the capacity of law enforcement to implement community policing strategies by providing guidance on promising practices through the development and testing of innovative strategies; building knowledge about effective practices and outcomes; and supporting new, creative approaches to preventing crime and promoting safe communities. CPD funding supports projects that develop knowledge, increase awareness of effective community policing strategies, augment the skills and abilities of law enforcement and community partners, expand the number of law enforcement agencies and relevant stakeholders using proven community policing practices, and institutionalize community policing practice in routine business. Topical areas under our CPD funding includes law enforcement accreditation, de-escalation training, expansion of crisis intervention teams, and microgrants to fund innovative projects at the local level.

In addition to the COPS Hiring Program and Community Policing Development, we provide grants for a range of programs including law enforcement mental health and wellness, anti-methamphetamine and anti-heroin task forces, school safety measures, active shooter training, and our Tribal resources grant program – most of which are now open or are about to open for the Fiscal Year (FY) 2024 grant application cycle.

The COPS Office incentivizes commonsense reforms by providing priority funding consideration, where appropriate, for agencies and initiatives aligned with Section 20 of Executive Order 14074, Advancing Effective, Accountable Policing and Criminal Justice

Practices to Enhance Public Trust and Public Safety. Beyond Section 20, we are coordinating and supporting several sections of Executive Order 14074, and have actively worked with other components in the Department to develop and implement these actions.

We also prioritize applications for jurisdictions that support Community Violence Intervention (CVI) programs, that seek to hire officers that would engage directly with CVI teams and other community stakeholders to ensure those groups are involved in strategic operations and planning, and that seek to implement hiring practices to help agencies mirror the racial diversity of the communities that they serve.

The COPS Office is committed to monitoring grant award recipients to assure fidelity to the taxpayer dollar. Each grant awarded by the COPS Office requires quarterly federal financial and semi-annual performance progress reports from award recipients. The COPS Office reviews these reports in concert with the submitted application on an annual and on-going basis during routine monitoring. This allows the Office a means of oversight and early detection in which to troubleshoot any potential compliance concerns and provide guidance and technical assistance, when needed, to assist award recipients with the successful implementation of their projects to improve performance results and outcomes. Grantees are also required to certify the information provided in their progress and financial reports and are monitored accordingly.

The COPS Office had approximately \$1.34 billion in active awards during FY 2023. The COPS Office conducts routine monitoring of 100 percent of our active grant funding. We also conduct enhanced monitoring, including either on-site or through enhanced office-based reviews, on no less than 10 percent of the active award funding amount each fiscal year determined by a risk-based assessment of each award recipient. In FY 2023, COPS performed enhanced

monitoring on 121 awards to 87 award recipient agencies, for a total of \$139.2 million – an amount which exceeded the required 10% level by approximately \$5 million.

Beyond our traditional grants, we have a variety of technical assistance resources. In 2011, the Department created the Collaborative Reform Initiative for police departments seeking proactive technical assistance with reforms, organizational efficiencies, and enhancement of community engagements. At a law enforcement agency's request, COPS examines key operational areas – including training, internal investigations, accountability mechanisms, use of force, and racial profiling – and provides recommendations for reforms that will enhance public safety and public trust.

The program has evolved over time, and the Collaborative Reform Initiative continuum of services now encompasses three programs offering law enforcement agencies expert services ranging in scope and complexity. The continuum of services is designed to build trust between law enforcement agencies and the communities they serve; improve operational efficiencies; enhance officer safety and wellness; and develop and disseminate evidence-based, promising, and innovative public safety practices.

The programs that make up the continuum include Organizational Assessments, which represent the most comprehensive form of technical assistance through the development of recommendations, findings, and the provision of accompanying technical assistance; Critical Response, which provides data analyses, policy assessments, and after-action reviews and the immediate delivery of technical assistance to agencies experiencing issues of critical need; and the Collaborative Reform Initiative Technical Assistance Center, which provides “by the field, for the field” technical assistance on a wide range of topics to requesting agencies. To date, we

have worked with over 1,150 departments across these three tailored approaches to assist with reforming law enforcement agencies. As we speak, we are working with over 60 agencies.

A COPS Office resource that continues to grow in popularity and usage is our online Training Portal, which provides a convenient way for law enforcement professionals and community partners to access interactive online training in emerging public safety topics. Additionally, the Portal serves as a gateway to a variety of multimedia community policing resources at no cost. As of now, we have 48,000 registered users who have enrolled in our 45 trainings and resources nearly 100,000 times, and we continue to add new courses to reach new learners and re-engage with existing users. Most recently, we have added courses on responding to mental health crises, including those involving youth and veterans, and missing and murdered indigenous persons cases. The Portal team is constantly working to upgrade the user experience and accessibility of the Portal, ensuring that it can continue to provide cost-effective training that is useful to agencies large and small, and is being utilized by agencies across the country to provide high quality, engaging learning opportunities on a variety of topics.

As I mentioned, our work goes beyond that of a grant making agency. We produce a number of knowledge resource products and reports. One in particular that I want to focus on today is the COPS Office's published report produced in the wake of tragedy, and that is *Considerations for Specialized Units*. The COPS Office partnered with the National Policing Institute on this topic following the Tyre Nichols killing, and it includes guidance on how to balance the need for specialized units with the oversight they require. It emphasizes the need to work closely with the community on these units to maintain community trust.

The guide looks at four main stages of specialized units: (1) formation, (2) personnel selection and supervision, (3) management and accountability, and (4) community engagement.

Each section of the guide offers key considerations for agencies as they are creating or reviewing their own specialized units. We received great input from the field for this publication and we believe agencies and communities alike will find it is an important tool.

I also want to highlight the recent Department of Justice report, *Critical Incident Review: Active Shooter at Robb Elementary School*. The report examines the multiple failures in response to that horrific tragedy, including the breakdowns in leadership, decision-making, tactics, policy, and training that contributed to those failures. It begins with a minute-by-minute timeline reconstructing key events before, during, and immediately following the shooting. The report addresses many previously unanswered questions, builds on the existing knowledge base for responding to incidents of mass violence, and identifies generally accepted practices for effective law enforcement responses. Our goal with the report was to honor the victims and survivors of this tragedy, as well as offer recommendations to improve future responses in other communities.

In addition to laying out the facts, as well as a wealth of recommendations – we do not just release a report like that and walk away. We remain committed to working with those in the Uvalde community and surrounding region on solutions to the issues, challenges, and deficiencies the report identified. We are bringing our training and technical assistance resources to bear on topics like active shooter response, leadership, planning, coordination with other agencies, building community trust, and more to help them improve, which we are able to do through the Collaborative Reform Initiative that I mentioned earlier. While these after-action reports are vitally important in terms of providing the authoritative account of what actually happened, it is also critically important to look at what went wrong in order to build a better plan for the future.

Reviews such as this can be tremendously helpful to both law enforcement agencies and communities, as they work together to see how they can improve policies, procedures, systems, and – most importantly – relationships. We already know from the feedback we have received that this is a very important resource for agencies across the country. And it is my hope that lives will be saved because of the agencies that will study this report and implement the recommendations.

Before closing, I do want to underscore that beyond our work in the grant space, our efforts with the specialized units report and in Uvalde are just two examples of how the COPS Office can impact communities around the country with our reach, expertise, and power to convene. Helping law enforcement to advance community policing practices is at the core of everything we do at the COPS Office – whether that is in the program development phase of a new grant, monitoring existing awards, or providing new training – our mission is and remains the advancement of public safety through community policing.

Thank you again for this opportunity to address the Committee, and I look forward to answering your questions.



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, DC 20530

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Grassley:

Please find enclosed responses to questions arising from the appearance of Office of Community Oriented Policing Services Director Hugh Clements, before the Committee on April 10, 2024, at a hearing entitled "Oversight of the Community Oriented Policing Services (COPS) Grant Program." We apologize for the delay in providing these responses.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter. The Office of Management and Budget has advised us that there is no objection to the submission of this letter from the perspective of the Administration's program.

Sincerely,

Ted Schroeder
Acting Assistant Attorney General

Enclosure

cc:

The Honorable Richard J. Durbin
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Hugh T. Clements
Director
U.S. Department of Justice
Office of Community Oriented Policing Services

Questions for the Record
United States Senate
Committee on the Judiciary
Hearing Entitled:
“Oversight of the Community Oriented Policing Services (COPS) Grant Program”
April 10, 2024

QUESTIONS FROM CHAIR RICHARD J. DURBIN

Question 1: How has the COPS Office collaborated with stakeholders, such as law enforcement organizations, civil rights groups, and other community advocates? How has administration of the COPS grant program improved as a result?

Response: There are numerous ways the Office of Community Oriented Policing Services (COPS Office) collaborates with stakeholders in order to continuously improve our programs. This collaboration started when we first developed our programs, and it continues to this day. For example:

- When the COPS Office was developing the application questions for the COPS Hiring Program, we pilot tested questions with both law enforcement and non-law enforcement stakeholders to ensure that the questions solicit meaningful, relevant information.
- As a participating component of the Coordinated Tribal Assistance Solicitation (CTAS) for the COPS Office’s Tribal Resources Grant Program, the COPS Office collaborates with stakeholders on a regular basis. The CTAS team reviews the annual Coordinated Tribal Assistance Solicitation Assessment, applicant webinar feedback evaluations, and tribal listening session and consultation feedback to guide the development of future CTAS solicitations. Feedback collected has helped inform and shape future solicitations and identifies areas where additional support could be provided to future applicants of the solicitation, such as applicant webinars, and training and technical assistance provided to applicants. Specific action as a result of collaboration has included streamlining and shortening application questions, providing user-friendly templates, providing sample templates, expanding allowable costs, lengthening award periods, and reducing performance reporting requirements.
- When the COPS Office developed the new Law Enforcement De-escalation Training Act program, the COPS Office conducted a series of listening sessions with a wide range of stakeholders, including behavioral health advocates, civil rights organizations, educators, and law enforcement professionals. This helped inform the development of

training standards that are needed for the certification process as outlined by the Act. This effort is ongoing and will continue as the program develops.

- For the development of the Law Enforcement Mental Health and Wellness Act (LEMHWA) program, the COPS Office was able to draw on more than five years of ongoing stakeholder engagement via the National Officer Safety and Wellness Working Group, which, since 2012, has regularly brought together law enforcement leaders, medical and mental health professionals, and leaders from other professional fields also focused on employee wellness. The purpose is to discuss critical and emerging issues, including the intersection of officer wellbeing and positive community engagement. When officers are well, they are able to exercise better judgment and improve outcomes for their communities.
- The COPS Office has also created communities of practice (CoPs) for many of our awardees that not only facilitate the provision of technical assistance and peer learning, but also serve as a means by which we can learn from key subject matter experts about how we can modify and improve our programs and services. CoPs currently exist for agencies receiving awards related to hiring, mental health and wellness, crisis intervention, and de-escalation training. They each meet virtually 6-12 times per year, and often have one or two in-person meeting opportunities at major conferences as well. These meetings are facilitated by the COPS Office and discuss grant management and program developments, allow for peer-to-peer learning between awardees, and also provide deeper dives into relevant topics from subject matter experts that awardees may not otherwise have access to. For example, the crisis intervention CoP has received presentations on access to services for individuals with limited English proficiency, improving data collection and conducting local program evaluations, the unique needs of youth, and substance use disorders. The mental health and wellness CoP has hosted in-depth discussions with experts on suicide prevention, transitioning to retirement, family readiness, advanced peer support, and mindfulness. The hiring CoP has learned about evidenced-based practices around recruitment and selection from researchers who work in that field.
- The CoPs provide the COPS Office with user feedback on our programs and have led to program tweaks that have helped us grow our applicant pools by ensuring that we are supporting the greatest needs in the field. For example, in our Promoting Access to Crisis Teams (PACT) program, we adjusted allowable costs to include vehicles for embedded mental health professionals, because it was clear from the CoP that getting civilian members of crisis teams to incidents in ways that would not be perceived as threatening to the individuals in crisis in the community was a consistent roadblock to local implementation.
- Each CoP also has a technical assistance provider attached to it, who is available at any time to assist agencies with specific program implementation challenges and to coordinate with additional SMEs to help pair agencies with the specific assistance they need. Some of the CoPs also have websites with both public and grantee-only information. The public section has resources, publications, and information on the

members' programs that may be of use both to other members and to the law enforcement community more broadly. The members-only sections contain discussion boards and recordings of all prior meetings and webinars. By offering recordings of past events, the CoP is able to provide benefits to all members regardless of schedule or availability, as well as giving access to new members who have recently received an award or joined an agency with an existing award. Agencies are also encouraged to remain active members of the CoPs even when their grant has expired, with the hope that their experience not only during the grant period but from transitioning away from grant funding will be a benefit to other members.

- Grantee feedback to these CoPs has been overwhelmingly positive, with specific praise given to the ability of the technical assistance (TA) providers to connect agencies facing specific challenges with other members who have successfully addressed similar issues, the availability of the recorded webinars and meeting videos, and the general availability and support of their peer agencies. Grantees also value the ability to share policies and program documents with TA providers and peers for feedback, and the chance to assist their peer agencies. In the mental health and wellness CoP, every agency that has received a contact to help another agency has immediately responded "yes."
- The COPS Office technical assistance offering through the Collaborative Reform Initiative underwent significant modification based on extensive feedback received from law enforcement and non-law enforcement advocacy organizations. This feedback is presented in the modified program as outlined in the program's strategic framework:

https://cops.usdoj.gov/pdf/2023ProgramDocs/cr/Continuum_of_TA_Services.pdf

- When developing guidance for the law enforcement field on critical topics – including recent topics such as recruitment, hiring, and retention; responding to mass gatherings and protests; and specialized units in law enforcement – the COPS Office engages with a range of law enforcement, advocacy, and other stakeholders with both expertise and perspectives on those issues.
- Further, the COPS Office continuously seeks feedback from stakeholders through attendance at conferences, hosting forums on critical topics, and meetings with our grantees, all of which contribute to and inform our priorities and improve the administration of our grant programs and customer service (e.g., streamlining the grant application process, staggering the release of grant solicitations to avoid overwhelming small jurisdictions, and more).
- The COPS Office also uses customer service feedback and customer satisfaction survey feedback to continue to assess opportunities to improve the delivery and accessibility of COPS Office resources.

Question 2: What is the current structure used to assess whether COPS Office grants are effectively furthering the program's goals, especially given that different awardees can

have vastly different needs? How does the COPS Office communicate the results of those assessments to the public?

Response: Consistent with the U.S. Department of Justice’s (“Department”) responsibilities under the Government Performance and Results Act Modernization Act of 2010 (GPRA Modernization Act),¹ the COPS Office sets program goals, measures performance against those goals, and publicly reports progress in the form of funding spent, resources used, activities performed, services delivered, and results achieved.

COPS Office awards target increasing recipient capacity to implement community policing strategies within the three primary elements of community policing: (1) problem solving; (2) partnerships; and (3) organizational transformation. The COPS Office requires all applicants for its COPS Hiring Program (CHP) to describe how the personnel requested will assist the applicant in implementing community policing strategies. Awardees must submit progress reports that describe the agency’s progress in implementing their community policing plan and specific community policing activities during the award period. In addition, the COPS Office utilizes USASpending.gov as the official open data source of federal spending information about its federal awards.

Examples of how COPS Office awards have furthered program goals at law enforcement agencies are posted on the COPS website, under Grantee Success Stories.² Another example of how the COPS Office communicates the results of assessments to the public is the Collaborative Reform Initiative, where recommendations and progress reports for our Organizational Assessments are regularly posted on the COPS Office website located at <https://cops.usdoj.gov/organizationalassessment>. Organizational Assessments are technical assistance that the COPS Office provides for law enforcement agencies to work with the Department to ensure fair, impartial, and effective policing for the communities they serve. In addition, hundreds of COPS Office publications and the outcomes of our convenings are available on-line.

Question 3: The COPS Office grant program awards various grants intended to achieve specific ends.

- a. In terms of reviewing data to assess the functioning and success of particular grant awards, what are the differences in evaluative capabilities and procedures of the COPS Office versus the Office of Justice Programs (OJP)?**

Response: The Office of Audit and Assessment Management provides monitoring guidance across the Department’s grant-making components, resulting in parity across those components in the process of reviewing reporting data to assess and monitor award performance. This includes both federal financial reporting data and programmatic progress performance reporting data, as well as information obtained through routine and in-depth monitoring.

¹ Government Performance and Results Act of 2010, Pub. L. 111–352 (codified in 5 U.S.C. § 306).

² Office of Community Oriented Policing Services, *Grantee Success Stories*, <https://cops.usdoj.gov/grantee-success-stories>.

However, one difference between the COPS Office and the Office of Justice Programs (OJP) is in the progress performance reporting platform used to collect performance progress report data. The COPS Office uses the JustGrants System to complete and submit progress reports, whereas OJP uses both the JustGrants System and the Performance Measurement Tool, a separate web-based data collection platform that pre-dates the creation of JustGrants, for some of its programs.

Many of the COPS Office staff have extensive experience and degrees (including Masters and Ph.D.s) in the social sciences (e.g., sociology, criminology, economics) and related fields (e.g., psychology, political science, public administration), and bring their expertise in research methods and statistical analysis to their work. These staff are also our program managers, supervisors and managers reviewing and using these progress reports to continually improve our programs and services to the field.

The COPS Office has provided funding for periodic program evaluations, including in particular comprehensive statistical modeling assessments of the COPS Hiring program.³

- b. Grantees submit progress reports and end-of-year reports to the COPS Office. How does the COPS Office review these reports, and what information is important for assessing the success of the grant? When these reports are forwarded to OJP, what review does OJP conduct, and how is the information used to evaluate a grant's success?**

Response: The COPS Office does not forward reports to OJP. The COPS Office does make use of the question set capabilities built into JustGrants, which allows us to query information from grant awards using the DOJ Data Management, Reporting and Analytics (DMRA), a solution that integrates data storage, analytics development and dissemination of data, analytics and reports. OJP DMRA users also have the ability to query COPS Office report information through DMRA.

As explained above in the response to question 3a, progress reports are reviewed by COPS Office personnel to assess the progress and performance of an award and identify any technical assistance needs that may advance the potential for program success. COPS personnel approve the reports when awardees have appropriately addressed the applicable questions about, among other things, officer hiring, retention, and training, and community outreach. They review the steps awardees are taking to achieve the objectives set forth in the awards, such as the number of community outreach events held, the number of community members reached by community events or programs, or the extent of the provision of services resulting from the outreach.

- c. Is there additional information that the progress and year-end reports should request from grantees to better assess the effectiveness of a grant?**

³ See, e.g., Steven Mello, *Empirical Analysis of COPS Hiring Programs 2009-2016*, OFF. OF CMTY. ORIENTED POLICING SERVS. (2024), <https://portal.cops.usdoj.gov/resourcecenter?item=cops-r1150>; Philip Cook, Max Kapustin, Jens Ludwig & Douglas Miller, *The Effects of COPS Office Funding on Sworn Force Levels, Crime and Arrests: Evidence from a Regression Discontinuity Design*, OFF. OF CMTY. ORIENTED POLICING SERVS. (2017), <https://portal.cops.usdoj.gov/resourcecenter?item=cops-w0827>.

Response: The COPS Office has committed to review all programmatic progress reports to determine if updates are necessary to maximize the ability to provide programmatic oversight to determine if programs are being implemented properly and achieving the intended outcomes, while minimizing onerous data collection requirements, which can be particularly challenging for smaller and rural agencies.

The COPS Office reviews the need for adjustments to reporting requirements on an annual basis after each new award cycle. Any revisions deemed necessary in FY 2024 will take effect in the FY 2025 funding cycle. The progress reports do currently require grant award recipients to identify how the grant programs are advancing collaborative partnerships and community engagement, collaborative problem-solving, and organizational changes to sustain and institutionalize those efforts. Opportunities to collect additional information related to determining implementation challenges and successes will be identified so that we can continue to refine progress reporting.

d. Are there any legal or administrative barriers to requesting metrics with respect to such occurrences as officer uses of force, officer involved shootings, or allegations of potential racial bias on the progress and/or year-end reports submitted by grantees?

Response: Collecting use-of-force or officer-involved shooting data does not require investigatory powers. There are no legal barriers in the COPS Office program statutes or annual appropriations act that would preclude requesting data, as long as the requested information is related to the underlying purpose of the program.

There are also data and statistical agencies, such as components within the FBI and OJP's Bureau of Justice Statistics (BJS), that do collect information about uses of force and officer involved shootings. The COPS Office provides priority consideration for law enforcement agencies that commit to these data reporting efforts through existing Department mechanisms and components.

If the COPS Office were also charged with collection, this would place a duplicative burden on agencies that would have to report the same or similar information to multiple parts of the Department. It is important to note that the COPS Office would only be able to collect from the self-selected sample of agencies who apply for and receive grant funding, and it would not be possible to collect longitudinal or comparison data for similar agencies. This would prohibit the ability to draw any substantive or meaningful conclusions about law enforcement nationally based on data that could be reasonably collected by a grantmaking component such as the COPS Office regarding these matters.

Question 4: Understanding that the COPS Office is not an investigative agency, are there any steps that Congress can take to better equip the COPS Office to track and compile data relevant to evaluating the effectiveness of particular grants awarded, or the grant programs more broadly?

Response: The COPS Office currently uses DOJ's JustGrants System to collect federal financial and programmatic performance progress data for its awards. Ensuring resources are available to

continue to support robust data analytics and reporting capabilities of the JustGrants System's monitoring and reporting capabilities would continue to be an effective means to track and compile data. This will assist the COPS Office in maximizing its ability to determine if individual grants and programs are being implemented properly and achieving the intended outcomes.

Question 5: What specific programs or areas of the COPS Office's mission would be enhanced through reauthorization?

Response: The COPS Office's mission would be enhanced by reauthorization because it could improve the office's ability to recruit and retain staff and assist with long-term strategic planning by removing the uncertainty regarding the continued authorization of our programs.

With rising costs to employ sworn law enforcement officers, through reauthorization, the statutory cap of \$75,000 per funded officer position under CHP could be increased to more than \$125,000. The cap has been increased to \$125,000 per officer through our annual appropriations act but is losing ground annually. As of 2022, the average sworn officer salary in the United States was about \$90,500 per year. However, the federal share on average only covers \$41,677 of an officer's salary per year (dividing the \$125,000 per officer over the 3 years of program funding). Therefore, in effect, this results in a 54 percent local match, which is considerably more than the 25 percent local match that is required, unless waived.

Question 6: Have any COPS grant recipients received funding from the COPS program to procure facial recognition technology or other forms of biometric technology?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 7: Has the COPS Office received requests from law enforcement agencies to purchase facial recognition or other biometric technologies using federal funding?

Response: The COPS Office tracks funded, but not requested, technology. For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost. If needed, the COPS Office includes language in solicitations that provide an opportunity for reconsideration of unallowable costs to address Department leadership or Congressional directives or for other compelling justifications. While the flexibility is included in relevant solicitations, the practice of the COPS Office is to limit expenditures to allowable costs, and the COPS Office is not aware of decisions to consider biometric technologies generally allowable.

Question 8: Has the COPS Office analyzed the extent to which federal grant recipients who use facial recognition technology and other forms of biometric technology are complying with or violating the Civil Rights Act of 1964 or other federal civil rights laws?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost. All COPS Office

grantees are required to comply with federal civil rights laws and OJP's Office for Civil Rights (OCR) is delegated the responsibility to ensure their compliance.

Question 9: Does the COPS Office coordinate with relevant federal agencies regarding Title VI compliance for programs receiving funding for facial recognition tools and other biometric technologies? If so, in what ways?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 10: What, if any, training is provided on the use of facial recognition technology or other biometric technologies to grant recipients to ensure compliance with Title VI or other federal laws, as applicable?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

QUESTIONS FROM SENATOR CORY A. BOOKER

Question 1: In your testimony, you stated “helping law enforcement advance community policing practices is at the core of everything we [the COPS Office] do.” Can you provide a definition of “community policing” and outline specific activities officers engage in that would satisfy that definition?

Response: Community policing⁴ is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. Community policing comprises three key components:

1. Community Partnerships: collaborative partnerships between the law enforcement agency and the individuals and organizations they serve to develop solutions to problems and increase trust in police;
2. Organizational Transformation: the alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem solving;
3. Problem Solving: the process of engaging in the proactive and systematic examination of identified problems to develop and evaluate effective responses.

There are countless examples of specific activities that individual officers and law enforcement organizations overall engage in that advance the community policing philosophy. These include things like: differential response models to crisis situations; working with other city agencies to proactively address problems of concern to citizens, including connecting residents with services; analyzing repeat crime locations and working with local residents and businesses to develop solutions; attending community events and holding community forums; walking a beat and conducting checks of local businesses to help enhance their safety and security plans; working with community advisory and civilian oversight entities to ensure accountability and transparency; and attending HOA and community meetings to convey law enforcement activities and discuss community problems and concerns. The COPS Office operationalizes these definitional elements through the questions that applicants must complete in the CHP application so that agencies are required to commit to tangible community policing practices and advances. Further, we encourage staff to review our *Community Policing Dispatch*, which is a monthly e-newsletter that captures some examples of such efforts and activities.⁵

Question 2: What metrics, if any, does the COPS Office use to evaluate whether a police department granted funds through COPS Hiring Program is, in fact, advancing “community policing”? Is there data that the COPS Office currently collects that could be used to measure the success of a grantee’s community policing goals?

⁴ Office of Community Oriented Policing Services, *Community Policing Defined* (2014), available at <https://portal.cops.usdoj.gov/resourcecenter/RIC/Publications/cops-p157-pub.pdf>.

⁵ Office of Community Oriented Policing Services, *Community Policing Dispatch*, <https://cops.usdoj.gov/html/dispatch/>.

Response: Consistent with the Department’s responsibilities under the GPRA Modernization Act, the COPS Consistent with the U.S. Department of Justice’s (“Department”) responsibilities under the Government Performance and Results Act Modernization Act of 2010 (GPRA Modernization Act),⁶ the COPS Office sets program goals, measures performance against those goals, and publicly reports progress in the form of funding spent, resources used, activities performed, services delivered, and results achieved.

COPS Office awards target increasing recipient capacity to implement community policing strategies within the three primary elements of community policing: (1) problem solving; (2) partnerships; and (3) organizational transformation. The COPS Office requires all applicants for its COPS Hiring Program (CHP) to describe how the personnel requested will assist the applicant in implementing community policing strategies. Awardees must submit progress reports that describe the agency’s progress in implementing their community policing plan and specific community policing activities during the award period. In addition, the COPS Office utilizes USASpending.gov as the official open data source of federal spending information about its federal awards.

Examples of how COPS Office awards have furthered program goals at law enforcement agencies are posted on the COPS website, under Grantee Success Stories.⁷ Another example of how the COPS Office communicates the results of assessments to the public is the Collaborative Reform Initiative, where recommendations and progress reports for our Organizational Assessments are regularly posted on the COPS Office website located at <https://cops.usdoj.gov/organizationalassessment>. Organizational Assessments are technical assistance that the COPS Office provides for law enforcement agencies to work with the Department to ensure fair, impartial, and effective policing for the communities they serve. In addition, hundreds of COPS Office publications and the outcomes of our convenings are available on-line.

Data is collected for the following performance measures: (1) extent to which COPS Office knowledge resources (e.g., publications, podcasts, training, etc.) have increased an agency’s community policing capacity; (2) extent to which COPS Office award funding (e.g., officers, equipment, training, technical assistance, etc.) has increased an agency’s community policing capacity; and (3) the number of partnerships established or enhanced during the grant period.

The COPS Office has provided the progress report questions for all COPS Office programs to Senate Judiciary Committee staff and those reports are now publicly available on the COPS Office website

Question 3: Has the COPS Office ever found that a police department, which received funds through the COPS Hiring Program, was not advancing “community policing,” either before or during a grant period? If so, could you please provide examples, and detail any actions taken by the COPS Office to address this situation?

⁶ *Supra* note 1.

⁷ Office of Community Oriented Policing Services, *Grantee Success Stories*, <https://cops.usdoj.gov/grantee-success-stories>.

Response: COPS collects data and monitors 100 percent of its funded awards to ensure compliance with each CHP applicant's community policing plan. Through our monitoring and technical assistance guidance and resources, COPS is able to keep agencies aligned with the objectives germane to each of its funded programs to advance the practice of community policing. The COPS Office appropriately remedies any federal dollars that are not spent in compliance with its programs. This ensures that award dollars are used to advance the objectives for which they were appropriated. Subsequently, COPS ensures that its award dollars are used on allowable and approved purposes intended to advance the practice of community policing. Data on specific examples is not kept in a retrievable manner.

Question 4: Do you agree that grant funds should be allocated to trainings, activities, and programs that achieve the best results as related to community policing? If so, would performance metrics assist the COPS Office in assessing the outcomes of grant awards so that funds are not invested in ineffective trainings, activities, and programs?

Response: Yes, performance metrics do assist the COPS Office in assessing the investments made in training and technical assistance. Our performance metrics are tailored according to the specific program, training, or activity. For example, this is one of the reasons why we believe in supporting law enforcement training through regional or national training providers (such as CRI-TAC⁸ and ALERRT⁹) where we have the ability to monitor them to ensure that high quality training is being delivered, that there are quality controls over the curriculum and instructors, and that there are processes in place for assessing training deliveries. The COPS Office has extensive training curriculum guidelines for our national and regional providers that also outline minimum standards for training evaluation that are collected by the COPS Office.¹⁰ These guidelines follow the ADDIE model of instructional design, and – in addition to reporting data on when, where, and how many first responders are trained from what agencies -- include a required evaluation phase to determine how students feel about the course experience, whether goals were achieved, whether the transfer of learning took place, and any long-term outcomes, as well as any gaps in student performance that need to be addressed. Two levels of evaluation are required of COPS Office providers: Level 1 which includes learner reactions and comments to the course, usually in the form of a response to a questionnaire, and Level 2 which assesses immediate and longer-term content retention, application, and institutionalization. Beyond training, the COPS Office also collects data from our technical assistance recipients related to the extent to which the assistance met or exceeded expectations; the quality of the COPS Office subject-matter experts; whether the assistance met their goals and objectives; whether the changes were sustained over time; and whether the assistance ultimately allowed them to successfully address the underlying challenge or problem.

Question 5: Do you agree that the COPS Office has a duty to promote evidence-based policies and trainings through its grant making?

⁸ Office of Community Oriented Policing Services, *CRI-TAC Collaborative Reform Initiative Technical Assistance Center*, <https://cops.usdoj.gov/cri-tac>.

⁹ Texas State University, *Advanced Law Enforcement Rapid Response Training*, <https://www.alerrt.org/>.

¹⁰ Office of Community Oriented Policing Services, *Training*, <https://cops.usdoj.gov/training>.

Response: The COPS Office grantmaking purposes are set forth in our program statutes and annual appropriations act. As part of the program development process, new and existing evidence is considered, and evidence-based policies and trainings are promoted and prioritized. For example, the Promoting Access to Crisis Teams (PACT) / Crisis Intervention Teams (CIT) program is designed to incentivize the goal articulated by Congress of embedding behavioral health professionals into police departments. The purpose of programs like these is to divert people in crisis away from the criminal justice system and a law enforcement-only response. This is a model that has recently seen more promising research results than previous models that focused on training specific officers in crisis response.

Additionally, many ideas and evolutions that are advocated for in criminal justice reform have not been extensively studied or evaluated, and this has left this field without extensive, replicated evidence-based models upon which to base policy and training. In a recently published article in *Criminology & Criminal Justice*, the authors note that, “The core challenge of criminological uncertainty is that the evidence base that practitioners can draw on to support decision-making is relatively narrow and underdeveloped.”¹¹ This is partly due to the relative newness of criminology and policing as areas of academic study, as well as to how the randomized control trials that are integral to evidenced-based practice are recognized as challenging to implement in fields like criminal justice, education, public health, and social work where local context, practitioner skills and expertise, and client preferences play crucial roles in outcomes.

This is why the COPS Office also has looked to other fields, like education and public health, for additional ways to guide and support agencies in making informed decisions about policy and practice. This includes making use of documented practices that are rigorously reviewed and considered prior to distribution to the wider law enforcement field as promising. Practice-Based Evidence (PBE), a term attributed to the pre-eminent public health expert and researcher Dr. Lawrence W. Green, is a paradigm focused on bridging the gap between academic research and real-world practice. It aims to complement the strength of evidence-based practice with insights directly gathered from practitioners in the context in which they operate. This is a type of evidence that seeks to emphasize the integration of real-world practice with research to guide effective decision-making, and has become more commonly accepted when empirical evidence is limited.

PBE can help practitioners understand how a practice works, with whom, and how it can be adapted and maintained. PBE is invaluable when there is no research or limited research to inform policy. When unable to rely on relevant EBP, the COPS Office looks to PBE to guide promising practice, and it comes with the additional benefit of supporting locally-driven, real-world scenarios that can then be further evaluated, and ultimately helping to build the empirical research that underpins EBP.

Question 6: When asked whether the COPS Office requires police departments to report data on use of force or officer-involved shootings, you stated that the COPS Office does not because it is “not an investigatory agency.” Given that the COPS Office already relies, in

¹¹ Chris Giacomantonio, Litmanovitz, Y., Bennell, C., & Jones, D. J., *Expressing uncertainty in criminology: Applying insights from scientific communication to evidence-based policing*, 24 *CRIMINOLOGY & CRIM. JUST.* 470 (2024), available at <https://doi.org/10.1177/17488958221107325>.

part, on data submitted by police departments for monitoring purposes, can you explain why collecting additional data on use of force or officer-involved shootings would require investigatory powers?

Response: Collecting use-of-force or officer-involved shooting data does not require investigatory powers. There are no legal barriers within the COPS Office program statutes or annual appropriations act that would preclude requesting data, as long as the requested information is related to the underlying purpose of the program.

There are also data and statistical agencies, such as components within the FBI and OJP's Bureau of Justice Statistics (BJS), that do collect this information. The COPS Office provides priority consideration for law enforcement agencies that commit to these data reporting efforts through existing DOJ mechanisms and components.

If the COPS Office were also charged with collection, this would place a duplicative burden on agencies that would have to report the same or similar information to multiple parts of the Department. It is important to note that we would only be able to collect from the self-selected sample of agencies who apply for and receive grant funding, and it would not be possible to collect longitudinal or comparison data for similar agencies. This would prohibit the ability to draw any substantive or meaningful conclusions about law enforcement nationally based on data that could be reasonably collected by a grantmaking component such as the COPS Office regarding these matters.

Question 7: When asked about how success is measured for a COPS grant, your initial response was "it's perception; it's not all about data." Can you elaborate more on this statement? How does the COPS office quantify and assess perception?

Response: In saying this issue is about community perception and not purely about data, the response was specifically in regard to fear of crime. For example, even though violent crime rates are dropping across the country, the experience or perception of some communities may differ from the national trend. If law enforcement officials do not embrace the need to establish close ties and communication with all segments of their community so that they better understand the perceptions, public safety priorities, and concerns about crime, it could lead to a weakening of trust and counteract the goals of any COPS Office grant.

Question 8: In your testimony, you stated that "[community] trust and legitimacy [are] ever important to building a community-oriented policing." Additionally, in FY 2023, the COPS Hiring Program awarded 148 awards to departments to use funds "to focus on legitimacy and trust."¹² What criteria were used to award these specific awards, and how does the COPS Office measure whether a department is "building legitimacy and trust"? Could you please provide examples of grant awards that have built legitimacy and trust in a jurisdiction? Identifying information for the grantee may be redacted.

¹² Office of Community Oriented Policing Services, *Fact Sheet: 2023 COPS Hiring Program* (Sept. 2023), available at https://cops.usdoj.gov/pdf/2023AwardDocs/chp/Post_Award_Fact_Sheet.pdf.

Response: Please see the COPS Office CHP award methodology document for the criteria used to award these specific funds.¹³

The grant solicitation provides further details on how an applicant can be considered to build trust and legitimacy. For example, these efforts can include deploying officers to engage community stakeholders and promoting diversity within the ranks. The COPS Office also directs applicants to its Building Trust website for additional ideas on strategies. Grantees must submit progress reports which include a community policing narrative that can describe efforts to build trust and legitimacy.

The FY2023 CHP awards were announced on November 2, 2023. At this point in time, it is too early in the grant award period to provide examples that were successful in building trust and legitimacy.

The COPS Office has provided the progress report questions for all COPS Office programs to Senate Judiciary Committee staff, and the progress report questions are publicly available at https://cops.usdoj.gov/pdf/progress_reports/CHP_Progress_Report.pdf.

Question 9: The COPS Program stipulates that each department must conduct a background investigation for all career law enforcement officers hired or rehired with COPS Hiring Program grant funds.

- a. Does the required background investigation include a check on whether prospective police officers have sustained misconduct infractions in their personnel records?**

Response: Each COPS Hiring Program grantee must follow their agency's hiring procedures for background investigations. The COPS Office informs grantees that a background investigation is the process of compiling and analyzing the employment history, criminal records, commercial records, financial records, and other relevant information of an individual to be hired with COPS Office funding, but it does not set minimum criteria for background investigations.¹⁴ The required information may vary from agency to agency based on state and/or local requirements.

- b. If a criminal record, history of sustained misconduct, or any other discrepancies are uncovered following the completion of a background investigation, does the COPS Office require a police department to take any specific action? If so, please elaborate.**

Response: Grantees must notify the COPS Office when the officer's background investigation has been completed. The COPS Office does not receive, review, or evaluate individual background investigation information.

¹³ Office of Community Oriented Policing Services, *COPS Hiring Program (CHP)—How Decisions were Made to Allocate \$216 Million When More than \$594 Million was Requested*, available at <https://cops.usdoj.gov/pdf/2023AwardDocs/chp/methodology.pdf>.

¹⁴ Office of Community Oriented Policing Services, *External Background Investigations FAQs* (2023), available at https://cops.usdoj.gov/pdf/2023AwardDocs/Background_Investigation_FAQs.pdf.

- c. Given that the COPS Office “will not review or maintain background investigation results,”¹⁵ how does the COPS Office verify, if at all, that departments have indeed completed these background investigations and have not hired or rehired individuals with past convictions or a lengthy record of sustained misconduct?

Response: Each CHP grantee must follow their agencies’ hiring procedures for background investigations and report the completion on their semi-annual performance reports.

If COPS Office funds have been used to pay for the salary and benefits of an officer who has not undergone a background investigation, the COPS Office may exercise appropriate remedies (including the suspension of grant award funding and the repayment of funds spent on an unallowable cost).

Question 10: Many law enforcement officials are frustrated by the issue of “wandering cops” — officers who are fired in one jurisdiction only to easily find employment in another police department. Last year, the Department of Justice initiated the National Law Enforcement Accountability Database (NLEAD). It contains records of current and former federal officers with misconduct information spanning the past seven years. President Biden’s Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety encourages state, local, and tribal law enforcement agencies to engage with and utilize this accountability database.¹⁶

- a. Does the COPS Hiring Program incorporate NLEAD or any other accountability database into the grant vetting process and the COPS Hiring Program? If not, are there plans to do so?

Response: The COPS Hiring Program incorporates an accountability database – the National De-Certification Index, or NDI – into the grant vetting process by providing priority consideration to applicants that adhere to DOJ’s Federal Index of Policing Priorities which includes the following question:

“Does the agency check the National De-Certification Index hosted by IADLEST as a part of the officer hiring, vetting, or promotion process?”

The NDI is a national registry of certificate or license revocation actions related to officer misconduct that is currently used by all 50 states and the District of Columbia.

The COPS Hiring Program also requires grantees to conduct a background investigation of all officers hired with grant funds, which may include a check of accountability databases. The COPS Hiring Program does not incorporate NLEAD, as NLEAD is specific to federal law enforcement officers and access to NLEAD currently is limited to authorized users from federal law enforcement agencies.

¹⁵ *Id.*

¹⁶ Exec. Order No. 14074, 87 F.R. 32945, “Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety” (May 25, 2022).

b. Are law enforcement agencies mandated to check both the Accountability Database and the National Decertification Index before hiring an officer?

Response: No. However, the COPS Office gives priority consideration to applicants that respond affirmatively to the Department's Federal Index of Policing Priorities, which includes checking the National Decertification Index. State and local jurisdictions may have varying hiring requirements with respect to whether or not agencies are mandated to check the National Decertification Index.

c. Does your office plan to take additional action to encourage departments to participate in and use an accountability database?

Response: For the FY2024 CHP application, the COPS Office included an inventory of federal priorities for policing, in alignment with Executive Order (EO) 14704. The inventory of federal priorities includes a question regarding an applicant's participation in the National Decertification Index. Please see the response to question 10 (a).

Question 11: The COPS Office states that it vets all award lists with the 93 United States Attorney Offices and the Department of Justice Civil Rights Division to ensure there are no issues with potential grantees.

a. What type of information is used to assess if there is a concern with a potential grantee? Are there specific criteria that they are required to review?

Response: The COPS Office does not limit the criteria used by the U.S. Attorney Offices, the Department's Civil Rights Division, or OJP's Office for Civil Rights, when those components identify concerns regarding a potential recipient, prior to COPS making a grant award. The vetting process allows these offices to flag any matter for the COPS Office's consideration in the award review process. The COPS Office consults with these reviewing offices on any of their concerns before making award decisions.

b. Have the US Attorney's Offices or Civil Rights Division flagged issues in the past, and have potential grantees been removed as a result? If so, how many? Please also provide a description of the circumstances for denying an applicant a grant based on information provided by a U.S. Attorney Office or the Civil Rights Division.

Response: Yes, the COPS Office has removed applicants from consideration because of issues raised during the COPS Office's vetting process, such as the misuse of federal funding. It is not possible to provide the number of such instances because the data is not retrievable in this manner. Also, at the request of the Civil Rights Division, the COPS Office has placed "red flags" and "yellow flags" on awards. For red flag scenarios, the COPS Office makes an award, but conditions the release of funding based on the agency's cooperation in a civil rights investigation. For "yellow flag" scenarios, the COPS Office advises the grantee that the COPS Office is aware that the agency is cooperating in a civil rights investigation and that their

continued cooperation is needed for the continuation of the award. Most recently, the Civil Rights Division requested a yellow flag in 2020 for a law enforcement agency involved in a civil rights investigation.

Question 12: COPS Fund could be used for training. How does the COPS Office ensure that grantees are using training money for respected, well-regarded training sessions, rather than, for instance, the Street Cop training paid for by 46 states, which trained police to “shoot indiscriminately at people, medically experiment on the injured, and treat virtually anyone who isn’t a white, straight, cisgender male with open disdain”?¹⁷

d. Have any police departments used COPS funding to participate in any Street Cop training programs?

Response: The COPS Office has received one request for an agency to use grant funds to participate in Street Cop training. That request was denied.

The majority of COPS Office training is provided through funding awarded to regional or national training providers who deliver curricula that is reviewed and vetted by the Office as part of our substantive involvement in cooperative agreements, if not wholly developed according to our Curriculum Development Guidelines. For programs where the COPS Office would fund an individual department to procure training, they are required to submit their required training vendor for COPS Office review and have it approved prior to their budget receiving final clearance.

Question 13: Does the COPS office extend grants to applicants who are under an active pattern and practice investigation or consent decree? If so, what corrective action, if any, is taken towards grantees of the program whose department has engaged in civil rights violations? Additionally, how often has such action been taken?

Response: The COPS Office may extend awards to applicants under investigation. At the request of the Civil Rights Division, the COPS Office has imposed a special condition/red flag on an award that conditions the release of funding based on the agency’s cooperation in a civil rights investigation. All COPS Office grantees are required to comply with federal civil rights laws and OJP’s Office for Civil Rights (OCR) is delegated the responsibility to ensure their compliance.

These are often the agencies that may indeed have a great need for that funding to advance their community policing efforts. But any funding of these agencies occurs only after consultation with other Department components. It is important to note that an agency subject to an “active pattern or practice investigation” is just that: an investigation; and our grant funding in no way interferes with the requirements of a court order (i.e., an agency under a consent decree) and often the terms require the agency to implement reforms that can require substantial resources.

¹⁷ Shirley Lavarco, *Forty-Six States Paid for Violent, Racist Police Training*, THE APPEAL (Mar. 13, 2024), <https://theappeal.org/police-training-violent-racist-ban-pretexual-traffic-stops/>; Office of New Jersey Comptroller, *High Price of Unregulated Private Police Training in New Jersey* (Dec. 6, 2023), https://www.nj.gov/comptroller/library/reports/PoliceTraining/police_training_report.pdf.

Question 14: What type of evaluation metrics does the COPS office use to determine if a department is conducting effective community engagement, soliciting community feedback, and/or conducting appropriate social service referrals?

Response: The COPS Office has provided the progress report questions for all COPS Office programs to Senate Judiciary Committee staff. The progress report questions are publicly available at [Compliance and Reporting | COPS OFFICE \(usdoj.gov\)](#).

Question 15: The COPS Office is required to monitor at least 10 percent of the total active award funding it grants annually.

a. On average, how many grantees are reviewed annually under this requirement?

Response: COPS conducts programmatic performance and financial compliance reviews annually on 100 percent of its awards. Each fiscal year, desk reviews are conducted on 100 percent of COPS Office awards. In addition to these reviews, COPS also performs in-depth monitoring for a minimum of 10 percent of its active awards. This number varies each year depending on the resources (staff) on board. This number has increased as additional staff have been hired. With fewer staff members we try to monitor agencies with larger award amounts to ensure we reach our 10% goal.

b. The Office has stated that it monitors all funding and then engages in “enhanced monitoring” as required under statute, through either on-site or enhanced office-based reviews. What have been the results of these enhanced monitoring? Are those results easily accessible to the public, and if not, why not?

Response: Results of our monitoring efforts have been successful/favorable in terms of either identifying compliance, and/or assisting grantees to bring them back into compliance. This is accomplished through our customer service and technical assistance or by monitoring agencies that are new/first time grantees and providing technical assistance on their awards.

The results of our monitoring reviews are provided to each grantee through a feedback letter. After each enhanced office-based desk review or site visit, the grantee receives a feedback letter, outlining the results of the monitoring review. The feedback letters are not made publicly available due to the potential for law enforcement sensitive data to be released.

Question 16: How often does the COPS office conduct audits to ensure that law enforcement agency operations, budget, management, and policies and procedures are in compliance with COPS requirements? Are these audits made public, and if not, why not?

Response: COPS conducts programmatic performance and financial compliance reviews annually on 100 percent of its awards. Each fiscal year, desk reviews are conducted on 100 percent of COPS Office awards. In addition to these reviews, COPS also performs in-depth monitoring for a minimum of 10 percent of its active awards. As part of our compliance process, these annual reviews are not typically made public due to the potential for law enforcement sensitive data to be released.

Question 17: The Department of Justice’s Bureau of Justice Assistance has a Performance Measurement Tool with accountability measures for its programs, including those supporting law enforcement. These tools are available online. What performance metrics tool does the COPS Office employ, and are any mandatory grantee reports available online? If not, could you explain why? If certain sensitive information can be redacted, would you consider making such materials available to the public?

Response: The COPS Office uses the JustGrants System to complete and submit progress reports as a means to streamline the process and reduce the burden on its awardees. The COPS Office does not use a separate Performance Measurement Tool.

The COPS Office has provided the progress report questions for all COPS Office programs to Senate Judiciary Committee staff. COPS plans to make the same publicly available on its website.

While mandatory completed reports are not publicly available due to the potential for sensitive law enforcement data to be released, forms and questions will be available on-line. In addition, COPS utilizes USASpending.gov as the official open data source of federal spending information about its federal awards.

Question 18: In 2020, before assuming the presidency, President Biden stated, “I do not believe federal dollars should go to police departments violating people’s rights or turning to violence as the first resort, I do not support defunding police. The better answer is to give police departments the resources they need to implement meaningful reforms, and to condition other federal dollars on completing those reforms.”¹⁸

- a. Since 2020, has any COPS Hiring Program funds been sent to departments who have a systematic practice of “violating people’s rights”?

Response: All potential grantees are vetted through the various U.S. Attorney Offices, OJP’s Office for Civil Rights and the Civil Rights Division to provide the COPS Office with the information to determine whether it is inadvisable or inappropriate to make an award. All COPS Office grantees are required to comply with federal civil rights laws and OJP’s OCR is delegated the responsibility to ensure their compliance.

- b. Apart from self-reporting, what specific mechanisms does the COPS Office utilize to verify police departments are in compliance with civil rights laws both before and during a grant period?

Response: OJP’s OCR enforces compliance with civil rights laws by COPS Office grantees. In addition to self-reporting, any individual or group who believes they have experienced or is

¹⁸ Joe Biden, *Op-ed: We must urgently root out systemic racism, from policing to housing to opportunity*, USA TODAY (June 10, 2020), <https://www.usatoday.com/story/opinion/2020/06/10/biden-root-out-systemic-racism-not-just-divisive-trump-talk-column/5327631002/>.

aware of discrimination from an agency that receives funding from the COPS Office may file a complaint with OCR.

c. How does the COPS Office ensure that federal funds are not allocated to such departments?

Response: All potential grantees are vetted through the various U.S. Attorney Offices, OJP’s OCR, and the Civil Rights Division to provide the COPS Office with the information to determine whether it is inadvisable or inappropriate to make an award.

d. How does the COPS Office incentivize police departments to implement meaningful reforms, and what measures are in place to monitor and enforce compliance with these reforms both before and during a grant period?

Response: The COPS Office provides priority consideration based on Administration and Congressional priorities. For example, as noted above, for the FY2024 CHP application, the COPS Office included an inventory of federal priorities for policing, in alignment with Executive Order (EO) 14704. Agencies are required to submit semi-annual performance and quarterly financial reports for each COPS-funded award.

Question 19: Following the murder of George Floyd, a Justice Department investigation found that the Minneapolis Police Department (MPD) engaged in a pattern or practice in violation of the U.S. Constitution and federal law. Specifically, it found that the MPD “uses excessive force, including unjustified deadly force; unlawfully discriminates against Black People and Native American people in its enforcement activities.”¹⁹ The Minneapolis Police Department (MPD) received a \$1,250,000 COPS Hiring Program Grant from FY 2017 to FY2020 and another grant for \$2,752,240 from FY2020 to FY2023.²⁰

a. Did the monitoring mechanisms of the COPS Office identify any evidence indicating that the Minneapolis Police Department (MPD) was engaging in the constitutional violations outlined by the Justice Department’s investigation? If so, please elaborate.

Response: Please note that the City of Minneapolis did not accept the FY2020 CHP award.

The COPS Office’s semi-annual performance and quarterly financial reports would not capture this information. Constitutional violations are investigated by other agencies within the Department, and the OCR is delegated the responsibility to ensure compliance with federal civil rights laws by COPS Office grantees.

¹⁹ Press Release, U.S. Dep’t of Just., *Justice Department Finds Civil Rights Violations by the Minneapolis Police Department and the City of Minneapolis* (June 16, 2023), <https://www.justice.gov/opa/pr/justice-department-finds-civil-rights-violations-minneapolis-police-department-and-city>.

²⁰ NAACP Legal Defense Fund, *Policing Funding Database*, <https://policefundingdatabase.org/>.

- b. Prior to awarding additional funding to the MPD in 2020, what specific conditions or reforms did the COPS Office demand from the department to ensure compliance and eligibility for further funding?**

Response: All recipients are required to comply with nondiscrimination requirements contained in various federal laws. A memorandum addressing federal civil rights statutes and regulations from the OJP's OCR are included in the award package for recipients.

Award applicants are further advised that a hold may be placed on an award if it is deemed that the applicant agency is not in compliance with federal civil rights law and/or is not cooperating with an ongoing federal civil rights investigation.

The COPS Office did not impose any additional requirements on funding to the Minneapolis Police Department, and the Civil Rights Division did not request any special conditions on this award. The City of Minneapolis informed the COPS Office that it was not accepting the award prior to the completion of DOJ's pattern and practice investigation. All COPS Office grantees that accept their awards are required to comply with federal civil rights grant conditions. Because the Minneapolis Police Department declined the award, there was no need to impose conditions following the conclusion of the investigation.

- c. Are you aware if any of the officers charged in the murder George Floyd were hired using COPS Hiring Program grant funds to the Minneapolis Police Department?**

Response: CHP funding is used for the entry-level salaries and benefits of newly hired or rehired officers. The COPS Office does not collect the names of the officers hired with COPS Office funding.

- d. Have any Minneapolis Police Department officers, who were hired using grant funds from the COPS Hiring Program, faced charges or disciplinary actions for engaging in the same unconstitutional practices revealed by the Department of Justice's investigation?**

Response: COPS Hiring Program funding is used for the entry-level salaries and benefits of newly hired or rehired officers. The COPS Office does not collect the names of the officers hired with COPS Office funding.

Question 20: Following the murder of Breonna Taylor, a Justice Department investigation found that the Louisville Metro Police Department (LMPD) and the Louisville/Jefferson County Metro Government (Louisville Metro) engaged in a pattern or practice in violation of the U.S. Constitution and federal law. Specifically, it found that the LMPD "uses excessive force, including unjustified neck restraints; conducts searches based on invalid warrants; unlawfully executes search warrants without knocking and announcing; and

unlawfully discriminates against Black people in its enforcement activities.”²¹ The Louisville-Jefferson County Metro Government received a \$1,250,000 COPS Hiring Grant from FY 2016 to FY2020.²²

- a. **Did the monitoring mechanisms of the COPS Office identify any evidence indicating that the Louisville Metro Police Department (LMPD) was engaging in the constitutional violations outlined by the Justice Department's investigation? If so, please elaborate.**

Response: The COPS Office's semi-annual performance and quarterly financial reports did not capture this information. Constitutional violations are investigated by other agencies within the Department, and OCR is delegated the responsibility to ensure compliance with federal civil rights laws by COPS Office grantees.

- b. **Are you aware if any of the officers charged in the murder Breonna Taylor were hired using COPS Hiring Program grant funds to the Louisville Metro Police Department or the Louisville/Jefferson County Metro Government?**

Response: COPS Hiring Program funding is used for the entry-level salaries and benefits of newly hired or rehired officers. The COPS Office does not collect the names of the officers hired with COPS Office funding.

- c. **Have any Louisville Metro Department officers, who were hired using grant funds from the COPS Hiring Program, faced charges or disciplinary actions for engaging in the same unconstitutional practices revealed by the Department of Justice's investigation?**

Response: COPS Hiring Program funding is used for the entry-level salaries and benefits of newly hired or rehired officers. The COPS Office does not collect the names of the officers hired with COPS Office funding.

Question 21: A report published in 2023 by the COPS Office and the Bureau of Justice Assistance advised, “Agencies should assess the composition of their workforce and assess if it mirrors the diversity present in the community.”²³

- a. **How does the COPS Office actively encourage diversity within law enforcement and ensure that agencies are actively seeking to recruit candidates from underrepresented communities in law enforcement?**

Response: There are several ways the COPS Office works to promote diversity in recruiting.

²¹ Press Release, U.S. Dep't of Just., *Justice Department Finds Civil Rights Violations by the Louisville Metro Police Department and the City of Minneapolis* (Mar. 8, 2023), <https://www.justice.gov/opa/pr/justice-department-finds-civil-rights-violations-louisville-metro-police-department-and>.

²² *Id.*

²³ Office of Community Oriented Policing Services and Bureau of Justice Assistance, *Recruitment and Retention for Modern Law Enforcement: Revised* (Apr. 18, 2023), available at <https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-r1136-pub.pdf>.

Applicants, for example, must certify through the Assurances that they will, to the extent practicable and consistent with applicable law – including, but not limited to, the Indian Self-Determination and Education Assistance Act – seek, recruit, and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions, as provided under 34 U.S.C. § 10382(c)(11).

In addition, the COPS Office Microgrants Program offers funds to improve and enhance diversity in recruitment and promotion properties. COPS Office resources and products, as well, have long promoted the need for workforce makeup to reflect the communities they serve.

b. Does the COPS Office collect any demographic data on officers hired using funds from the COPS Hiring Program?

Response: Demographic data on officers hired as a result of CHP funding is not collected.

c. Is there anything that would prevent the COPS Hiring Program from requesting aggregate demographic data from grantees related to recruitment, testing, and hiring of applicants?

Response: The COPS Office program statutes and annual appropriations act do not preclude requesting aggregate demographic data or other data about law enforcement agencies, as long as the requested information is related to the underlying purpose of the program. The collection of demographic data may impose an additional burden on award recipients, especially within jurisdictions where the data may not be readily available based on state or local regulations.

Question 22: How is the COPS office verifying that state and local law enforcement departments have anti-bias policies in place and are enforcing those policies during their interactions with the community?

Response: During in-depth monitoring, the COPS Office verifies the elements of an applicant's application package. Where there are discrepancies noted, corrective action is required and may result in the repayment or suspension of award funding. Notably, all grantees are required to comply with federal civil rights laws and OCR is delegated the responsibility to ensure their compliance.

Question 23: Under 2 CFR § 200.338, the COPS Office has the authority to enact appropriate remedies, including the suspension of grant funds, against grant recipients who fail to comply with the requirements of the COPS program. Could you please provide an aggregate breakdown of instances where the COPS Office has exercised such remedies over the past ten years, including:

a. the number and type of instances;

Response: The COPS Office had more than 400 compliance issues over a span of 10 years covering a range of topics including unallowable and questioned costs, supplanting, failure to

provide documentation such as the community policing narrative, and failure to meet financial and performance reporting requirements.

b. the specific actions taken by the COPS Office; and

Response: Remedial actions taken because of identified compliance violations included repayment of grant funding, grant modifications, and restriction from receiving future COPS Office grant funding.

c. the reasons prompting such actions.

Response: Remedial action is taken when a recipient is unable to provide supporting documentation demonstrating that it expended grant funding in compliance with grant requirements. (Please see the Attached Excel Document: *IRM Compliance And Administration Issue 05012024 (Final)*)

Question 24: During the hearing, Senator Graham requested that you send him and/or the Chairman a list of proposed changes to the COPS Office to enhance its efficiency should it be reauthorized. You pledged to provide this information. Can you also assure us that you will share these details with my office?

Response: Yes, the COPS Office has already identified areas where improvements can be made and forwarded this information to the Committee on April 19, 2024.

QUESTIONS FROM SENATOR PETER WELCH

Question 1: I am appreciative of the \$9 million grant from the COPS Office that the Vermont Department of Public Safety received in 2023 that is currently being implemented. The grant will allow the Department to make much needed improvements to radio networks used by first responders in Vermont, particularly benefitting our rural communities.

In 2022, San Bernardino County, California received \$1.25 million in federal funding under the COPS Hiring Program to hire additional police officers. That followed \$3.3 million the department received in 2021 and \$5.4 million in 2020. On September 27, 2022, San Bernardino County deputies shot and killed Savannah Graziano. Ms. Graziano was a 15-year-old kidnapping victim the department was actually looking for. She was shot while following the deputies' instructions to move towards them following a traffic stop of her kidnapper. The San Bernardino County Sheriff's Office refused to release the body worn camera of the incident for 18 months. The cameras showed Ms. Graziano following officers' instructions.

- a. Are you aware if any of the deputies that killed Ms. Graziano were hired under the COPS Hiring Program grants for the San Bernardino County Sheriff's Office?

Response: COPS Hiring Program funding is used for the entry-level salaries and benefits of newly hired or rehired officers. The COPS Office does not collect the names of the officers hired with COPS Office funding.

Question 2: Has any employee of the COPS Office contacted the San Bernardino County Sheriff's Office regarding this shooting in relation to the grant awards?

Response: No.

Question 3: Does the COPS program require departments that receive grants to publicly release body worn camera of officer-involved shootings?

Response: COPS Office programs do not require grantees to publicly release body worn camera footage.

Question 4: Does COPS promulgate best practices related to body worn cameras and the release of footage related to officer-involved shootings?

Response: In 2014, the COPS Office funded a project with the Police Executive Research Forum that provided comprehensive policy recommendations that, at the time, reflected promising practices and lessons learned. Currently the Department's OJP Bureau of Justice Assistance administers the Body-Worn Camera program, which includes providing guidance, toolkits, and assistance.

Question 5: If yes to Question #4, please provide copies of all related materials.

Response: The policy recommendations can be found here:
<https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-p296-pub.pdf>

Information about the Bureau of Justice Assistance's Body-Worn Camera program can be found here: [Body-Worn Camera Partnership Program | Overview | Bureau of Justice Assistance \(ojp.gov\)](#)

In 2020, the Memphis Police Department received \$9.8 million in COPS funding to hire additional police officers. In January 2023, members of Memphis Police Department's SCORPION unit killed Tyre Nichols when they tasered, punched, kicked, and hit him with a baton. All of this was captured on video and the officers were charged with murder. The SCORPION unit was made up of inexperienced officers that routinely used excessive force against young black men. The Department is currently investigating the City of Memphis and the Memphis Police Department for a pattern or practice of excessive force, unlawful stops, searches and arrests, discriminatory policing, and violations of the Americans with Disabilities Act.

Question 6: Are you aware if any of the officers charged with murdering Tyre Nichols were hired under the COPS Hiring Program grants for the Memphis Police Department?

Response: COPS Hiring Program funding is used for the entry-level salaries and benefits of newly hired or rehired officers. The COPS Office does not collect the names of the officers hired with COPS Office funding.

Question 7: Has any employee of the COPS Office contacted the Memphis Police Department regarding the death of Tyre Nichols in relation to the grant awards?

Response: No. But it is important to note that the COPS Office is providing the Memphis Police Department with technical assistance to improve their use of force and de-escalation process training and leadership training. This assistance does not involve an investigation into or review of this specific case.

Question 8: Does the COPS Hiring Program prohibit funding to departments that are under investigation by the Department of Justice? Why or why not?

Response: The COPS Office may extend awards to applicants under investigation, but, when necessary and appropriate, does so with conditions such as cooperation with a Department investigation. At the request of the Civil Rights Division, the COPS Office has placed "red flags" and "yellow flags" on awards. For red flag scenarios, the COPS Office makes an award, but conditions the release of funding based on the agency's cooperation in a civil rights investigation. For "yellow flag" scenarios, the COPS Office advises the grantee that the COPS Office is aware that the agency is cooperating in a civil rights investigation and that their continued cooperation is needed for the continuation of the award.

Question 9: Does the COPS Hiring Program condition or seek a return of funding if a department is placed under investigation by the Department of Justice during the period of a COPS Hiring Program grant?

Response: Termination of funding for a COPS Hiring Program award would be based on a noncompliance finding with an award term or condition. The return of funding would be based on an agency using funds for an unallowable purpose under the award. The COPS Office would not request the return of funding based on the launch of an investigation but could seek a return based on the outcome of an investigation, if it is found that award funds were used in violation of grant terms and conditions.

Question 10: From 2020 to 2023, the Minneapolis Police Department received \$2.8 million in federal COPS grants to hire police officers. Yet in 2023, the Department of Justice announced they found the Minneapolis Police Department engaged in a pattern of violating the U.S. Constitution and Federal law. They are now under a consent decree to be independently monitored.

Does the COPS Hiring Program prohibit funding to departments that are subject to a consent decree with the Department of Justice?

Response: The COPS Office may extend awards to applicants under investigation. At the request of the Civil Rights Division, the COPS Office has imposed a special condition on an award that conditions the release of funding based on the agency's cooperation in a civil rights investigation.

There are often the agencies that may indeed have a great need for that funding to advance their community policing efforts. But any funding of these agencies occurs only after consultation with other Department components. It is important to note that an agency subject to an "active pattern or practice investigation" is just that: an investigation; and our grant funding in no way interferes with the requirements of a court order (i.e., an agency under a consent decree) and often the terms require the agency to implement reforms that can require substantial resources.

Question 11: If a police department is placed under a consent decree during a period of their COPS Hiring Program grant, as in Minneapolis, does the COPS Office condition or seek a return on funding to the department?

Response: When necessary and appropriate, the COPS office can include conditions on the grant such as cooperation with the Department's investigation.

Question 12: In October 2022, the New York City Police Department received a COPS Hiring Program grant worth \$8.3 million lasting five years. This followed a COPS Hiring Program grant that ended in 2023 worth \$11.6 million. The New York City Police Department also has a long history of police misconduct. In just the last six years, they have paid more than \$500 million in settlements for that misconduct.

Does the COPS Office investigate or require grantee reporting of whether any officers hired through these COPS Hiring Program grants are defendants in settled misconduct lawsuits?

Response: No. COPS Hiring Program funding is used for the entry-level salaries and benefits of newly hired or rehired officers. The COPS Office does not collect the names of the officers hired with COPS Office funding.

Question 13: On May 24, 2022, the community of Uvalde, Texas experienced an unspeakable tragedy. 19 students and two teachers were murdered, and the community will never be the same. The COPS office led the DOJ's Critical Incident Review of that tragedy and issued a comprehensive 610-page report. The report found that despite there being approximately 375 responding law enforcement officers, poor training and unclear policies led to deadly delays in stopping the shooter. Some of those 375 officers were from departments that had received COPS grants. The report contained many recommendations, but one of them is incredibly simple: "Every agency must have a clear and concise policy on responding to active attacker situations."

Does the COPS Office have the authority to set or modify requirements for COPS grants eligibility?

Response: Yes. The COPS Office implements all eligibility requirements set forth by statute or the appropriations act and has programmatic discretion to set priority considerations for funding.

Question 14: Can you confirm that having an active shooter policy is now a requirement for departments before they are eligible for further COPS grants?

Response: Active shooter policies are not an eligibility requirement for COPS Office grant awards. However, the COPS Office administers widely recognized active shooter training to law enforcement agencies across the country through our Preparing for Active Shooter Situations (PASS) Program.

Question 15: If no to Question #14, should Congress pass legislation to require that COPS grantees implement COPS Office recommendations that emerge from tragedies such as these?

Response: The COPS Office does not have a policy position on legislation being considered by Congress – that comes in the form of Statements of Administration Policy.

Question 16: On May 25, 2022, President Biden signed Executive Order 14074, entitled "Advancing Effective, Accountable Police and Criminal Justice Practices to Enhance Public Trust and Safety." The order laid out a set of policies regarding federal law enforcement. During your testimony on April 10, 2024, you stated the COPS Office uses policies contained in Executive Order 14074 when evaluating grant applications for the COPS Hiring Program to determine whether they have similar policies.

Please provide a list of all criteria contained in Executive Order 14074 used by the COPS Office when assessing grants for the COPS Hiring Program.

Response: Please find a copy of the DOJ Inventory of Federal Policing Priorities and the FY 2024 COPS Hiring Program Application Questions attached.

Question 17: Are the criteria treated as mandatory?

Response: No.

Question 18: If no to Question #17, how are these criteria used when assessing grants for the COPS Hiring Program?

Response: Agencies responding to a series of questions aligned with EO 14074 are given priority consideration during the application review process.

Question 19: How many grant awardees have similar policies to all of the policies contained in Executive Order 14074?

Response: The Department has recently expanded its list of questions related to its Inventory of Federal Policing Priorities and COPS will be better able to address this question following the FY 2024 award cycle.

Question 20: How many grant awardees have similar policies to some of the policies contained in Executive Order 14074?

Response: The Department has recently expanded its list of questions related to its Inventory of Federal Policing Priorities and COPS will be better able to address this question following the FY 2024 award cycle.

Question 21: How many grant awardees have none of the policies contained in Executive Order 14074?

Response: The Department has recently expanded its list of questions related to its Inventory of Federal Policing Priorities and will be better able to address this question following the FY 2024 award cycle.

Question 22: Please provide a list of the departments that received COPS Hiring Program grants that only have some or none of the policies contained in Executive Order 14074.

Response: The Department has recently expanded its list of questions related to its Inventory of Federal Policing Priorities and will be better able to address this question following the FY 2024 award cycle.

Question 23: On January 18, 2024, I sent a letter, along with Chair Durbin, Senator Warnock, and 15 other Senators, to Attorney General Merrick Garland concerning the use

of DOJ-funded facial recognition technology and whether it may violate Title VI of the Civil Rights Act, which prohibits discrimination under any program or activity receiving Federal financial assistance. The letter asked a series of questions regarding DOJ's oversight of these technologies and its compliance with Title VI. To date, we have not received a response from DOJ.

Are you aware of whether any COPS grant recipients have used funding for facial recognition technology or other forms of biometric technology, including grant recipients who collect any information through federally funded technologies that can later be used in facial recognition or other biometrics technologies?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 24: Has the COPS Office received requests from law enforcement agencies to purchase facial recognition or other biometric technologies using federal funding?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 25: Has the COPS Office analyzed the extent to which federal grant recipients who use facial recognition technology and other forms of biometric technology are complying with or violating the Civil Rights Act of 1964 or other federal civil rights laws?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost. All COPS Office grantees are required to comply with federal civil rights laws and OCR is delegated the responsibility to ensure their compliance.

Question 26: What practices and policies does the COPS Office have in place to ensure that its programs audit new biometric technologies, engage in proper oversight of their deployment, and do not violate any relevant constitutional or statutory federal civil rights protections?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 27: Does the COPS Office engage in interagency coordination with regard to Title VI compliance for programs receiving funding for facial recognition tools and other biometric technologies? If so, in what forms?

Response: For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 28: What, if any, training is provided by the COPS Office to state and local law enforcement on the use of facial recognition technology or other biometric technologies to ensure compliance with Title VI or other federal laws, as applicable?

Response: The COPS Office does not provide training on the use of facial recognition or other biometric technologies. For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 29: What, if any, policies or trainings are provided by the COPS Office to state and local law enforcement with respect to applicable Fourth Amendment protections related to facial recognition or biometric technologies?

Response: The COPS Office does not provide training on the use of facial recognition or other biometric technologies. For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

Question 30: What, if any, training is provided by the COPS Office to state and local law enforcement agencies that receive facial recognition results or other biometric technologies results from federal law enforcement agencies?

Response: The COPS Office does not provide training on the use of facial recognition or other biometric technologies. For COPS Office programs that fund equipment and technology, biometric technology, which includes facial recognition, is listed as an unallowable cost.

QUESTIONS FROM SENATOR THOM TILLIS

Question 1: Director Clements, last Congress, I had the opportunity to work in a bipartisan manner to enact the Bipartisan Safer Communities Act (BSCA). Under this legislation, \$100 million in funding was provided to School Violence Prevention Program (SVPP) that is administered by your office. What is status of this funding? Has it been distributed to law enforcement agencies, schools, and local government agencies?

Response: BSCA allocates \$100 million in funding from FY2022 through FY2026. The \$40 million from FY2022 and FY2023 was awarded to law enforcement agencies, school districts, and other state and local government agencies as part of each respective year's annual SVPP solicitation. The COPS Office will continue this practice in FY2024 and beyond.

Question 2: Has the COPS Office faced any hurdles or red tape when it comes to awarding SVPP funds? If so, are there any initial actions that Congress can take to streamline the process?

Response: No, the COPS Office has not faced difficulties in implementing SVPP. The only concern is that the demand for funding far exceeds the amount of grant funding available.

Question 3: As you many, law enforcement across the country, including North Carolina are dealing with recruitment and retainment issues. Aside from additional funding, what other efforts should Congress look at to assist local enforcement to address the hiring and recruitment challenges?

Response: Increasing or eliminating the \$125,000 per officer cap under CHP could assist local law enforcement with addressing their hiring and recruitment challenges. As of 2022, the average sworn officer salary in the United States was about \$90,500 per year. However, the federal share of a COPS Hiring Program grant would generally only on average only covers \$41,677 of an officer's salary (dividing the \$125,000 per officer over the three years of program funding). Therefore, in effect, this would result in a 54 percent local match, which is considerably more than the 25 percent local match that is required, unless waived due to severe fiscal distress. Based on a forum the COPS Office hosted with law enforcement on recruitment and retention efforts, there are a number of areas in which law enforcement professionals feel that government assistance would be helpful. These include:

- Consensus among meeting participants that eligibility requirements for hiring need to be updated to reflect a more modern culture. Participants at the convening identified the usefulness and supported the development of a national standard for police hiring developed by accrediting bodies.
- With workers placing an increased value on work-life balance, agencies should explore nontraditional benefits and incentives. Agencies should also consider benefits for those who have reached retirement, especially including behavioral health and well-being and health care options for retirees younger than 65 who have not yet qualified for Medicare.

Government assistance in supplementing these incentives would allow for the lowering of costs for individual agencies.

- Wellness programs should be developed and expanded to go beyond addressing physical health; they should incorporate mental and emotional well-being. Possible government funding was suggested to support research on the effectiveness of various resources on mental health and wellness, as well as to support comprehensive wellness and peer support programs.
- Confidentiality is vital during law enforcement interactions with those providing mental health support, whether through peer support programs or visits with culturally competent mental health providers. Another key participant recommendation was legislation that guarantees confidentiality for all law enforcement (not just Federal), thereby ensuring that information officers provide when they are the most vulnerable is protected.
- Government can also assist in public-facing campaigns to offer a realistic portrayal of the profession. This effort could also involve allocating resources to create training and toolkits for community engagement and to evaluate the effectiveness of these materials.
- Fellowships and similar programs offer unique opportunities to officers from all backgrounds and may give voice to those who otherwise may not be represented among law enforcement leadership. Governments may consider providing funding for fellowship programs and microgrants to address diversity issues in communities.
- Departments should consider reaching out to higher education institutions to find ways to collaborate. Agencies can work with local higher education institutions to review existing criminal justice curricula to increase compatibility with law enforcement careers by making sure coursework has real-world applicability; work to develop courses specific to law enforcement careers, such as those that concentrate on legal concepts and the interpretation of case law; or develop full degree programs focused on preparing students to become officers, similar to premedical degrees. One proposed option is creating a four-year program in which participants attend undergraduate classes for the first three years and go into field training during the fourth year once they reach 21 years of age. Upon graduation, participants have an undergraduate degree and proceed to a career in law enforcement. Government may consider funding to support these types of educational programs.

Question 4: On May 25, 2022, President Joe Biden issued an Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety. Has this executive order created any unintended consequences for law enforcement departments? How is the COPS Office ensuring that smaller departments that are facing staff shortages are not being penalized by the stringent reporting requirements?

Response: This order has not created unintended consequences because the Executive Order does not impose requirements on local law enforcement. Agencies applying for COPS grant

funding can receive additional priority consideration when applying for the competitive grant programs if they respond to the series of questions aligned with the Executive Order.

FY2024 COPS Hiring Program (CHP) Repository Questions

Contents

Agency Eligibility Information.....	1
Inventory of Federal Priorities for Policing	5
Executive and Contact Information.....	9
Cops Hiring Program Officer Request.....	11
Law Enforcement and Community Policing Strategy Section 1.....	20
Law Enforcement and Community Policing Strategy Section 2.....	30
Community Policing - Problem Area Narrative	36
Data Collection and Reporting.....	36
Duplication of Funding	38
Fiscal Health and UCR/NBIRS Data.....	39
Continuation of Project after Federal Funding Ends.....	43
Official Partner(S) Contact Information.....	44
28 CFR Part 23 (Criminal Intelligence)	46
Certification of Review and Representation of Compliance	47
Acknowledgement of Electronic Signature.....	47

Agency Eligibility Information

1. **Type of Agency** (*check one*)

- Law Enforcement
- Non-Law Enforcement

2. From the list below, please select the type of agency which best describes the applicant.

Law Enforcement Entities: *[Dropdown]*

- Municipal Police
- Sheriff
- County Police (Non-Sheriff)
- State Police Agency
- Regional Police Department
- Federal Recognized Tribal Police
- Federal Recognized Tribal Council
- Federal Recognized Tribal Fish & Wildlife
- Federal Recognized Tribal Courts
- Federal Recognized Tribal – Other
- Public University/College Police
- Private University/College Police
- Natural Resources Police (e.g., Fish and Wildlife or Park Police)
- Transit Police
- Public Housing Police
- School District Police
- Attorney/Court/Investigative Agencies (e.g., District Attorney’s Office, Bureau of Investigations, etc.)
- Multijurisdictional Task Force
- Consortium of Law Enforcement Agencies
- Constable
- Marshals
- Emergency Response/Management (Non-Police)
- Municipal Government
- New Start-Up (*please specify*)

3. Please indicate if your jurisdiction is primarily considered rural, urban, or suburban. *[Dropdown]*

- Rural
- Urban
- Suburban

Instructions:

We will ask you several questions about your law enforcement agency operations and authority to determine your eligibility to apply for a COPS Hiring Program (CHP) award. Please note that CHP applicants must have a law enforcement agency that is operational by the close of this solicitation, or receive services through an existing contract for law enforcement services or a new contract for law enforcement services that is in place by the close of this solicitation. Applicants must also maintain primary law enforcement authority for the population to be served.

In addition, if funds under this program are to be used as part of a written contracting arrangement for law enforcement services (e.g., a town which contracts with a neighboring sheriff's office to receive law enforcement services), the government agency wishing to receive law enforcement services must be the legal applicant in this application.

A law enforcement agency is established and operational if the jurisdiction has passed authorizing legislation and it has a current operating budget.

4. Is your law enforcement agency established and currently operational?

- Yes
- No

If no,

4a. Which of the following best describes your law enforcement agency? (check one)

- We are planning to establish or begin operations as a newly authorized law enforcement agency.
- We are planning to re-establish and resume operations for a previously operational law enforcement agency.

4b. Will your law enforcement agency be operational as of the closing date of this solicitation?

- Yes
- No*

*Validation Error Message: You may not be eligible to apply for this solicitation. Please contact the COPS Response Center at AskCOPSRC@usdoj.gov.

4c. Has your jurisdiction passed legislation which authorizes the creation of a new law enforcement agency?

- Yes
- No

5. If awarded, does your agency plan to use funds awarded under this award to establish or supplement a written contract for law enforcement services (e.g., a town contracting for services with a nearby sheriff's office)?

- Yes
- No

If yes,

Instructions:

A jurisdiction may apply for funds under this program to be used as part of a written contracting arrangement for law enforcement services (e.g., a town which contracts with a neighboring sheriff's office to receive services). However, the jurisdiction wishing to receive law enforcement services must be the legal applicant in this application.

Important Note: Two entities involved in a contracting relationship may not separately apply for funding to support the same officer position(s).

5a. Is the legal applicant listed in this COPS Hiring Program (CHP) application and on the SF-424 the entity that will be receiving law enforcement services?

- Yes
- No

5b. What is the legal name of the law enforcement agency that will be providing law enforcement services to your jurisdiction?

Instructions:

An agency with primary law enforcement authority is defined as the first responder to calls for service for all types of criminal incidents within its jurisdiction. Agencies are not considered to have primary law enforcement authority if they only: respond to or investigate specific type(s) of crime(s), respond to or investigate crimes within a correctional institution, serve warrants, provide courthouse security, transport prisoners, have cases referred to them for investigation or investigational support or only some combination of these.

6. Based on the definition above, does your agency have primary law enforcement authority? [Or, if contracting to receive services, does the agency that will be providing law enforcement services have primary law enforcement authority for the population to be served?]

- Yes
- No*

*Validation Error Message: You may not be eligible to apply for this solicitation. Please contact the COPS Response Center at AskCOPSRC@usdoj.gov.

7. Please select your U.S. Attorney's District Office from the below dropdown options [Dropdown]

- [List]

Inventory of Federal Priorities for Policing

The following questions will help the U.S. Department of Justice evaluate the possibility for priority consideration, where appropriate, and identify potential gaps in training and technical assistance.

The questions are listed here to familiarize users with them prior to answering them in the JustGrants web-based questionnaire.

8. Does the agency have a written directive to prioritize the recruitment and hiring of personnel who are representative of the communities they are sworn to serve?

- Yes
- No

9. Does the agency have a written directive that requires a background investigation of each candidate for officer positions conducted prior to appointment and include, consistent with the First Amendment and all applicable laws, a check of publicly available internet and information sharing sites to identify activity that promotes or supports unlawful violence or unlawful bias against persons based on race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability?

- Yes
- No

10. Does the agency have a written directive that requires the performance evaluation of all officers and supervisors to be conducted and documented at least annually, including (among other factors):
- a. An assessment of adherence to agency policies; and
 - b. For supervisors, an assessment of their effectiveness in addressing misconduct by officers they supervise.
- Yes
 - No
11. Does the agency encourage officer wellness (e.g., support for substance use disorders, mental health issues, trauma resilience, and suicide prevention) through policies and procedures?
- Yes
 - No
12. Does the agency have a written directive that officers may use deadly force only when the officer has an objectively reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person?
- Yes
 - No
13. Does the agency have a written directive that prohibits the discharge of firearms from a moving vehicle except in exigent circumstances where the officer has an articulable reason for this use of deadly force?
- Yes
 - No
14. Does the agency have a written directive that prohibits the discharge of firearms at a moving vehicle unless:
- a. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
 - b. The vehicle is operated in a manner that threatens to cause death or serious physical injury to the officer or others, and no other objectively reasonable means of defense appear to exist, which includes moving out of the path of the vehicle.
- Yes
 - No

15. Does the agency prohibit the use of chokeholds and carotid (or vascular neck) restraints except where the use of deadly force is authorized by law?
- Yes
 - No
16. Does the agency have a written directive stating that officers should employ de-escalation techniques when possible but may use force that is objectively reasonable to accomplish lawful objectives?
- Yes
 - No
17. Does the agency have a written directive that establishes the affirmative duty to take reasonable steps to intervene, i.e., to prevent or stop, as appropriate, any officer from engaging in excessive force or any other use of force that violates the Constitution, other laws, or agency policy on the reasonable use of force?
- Yes
 - No
18. Does the agency have a written directive that establishes the affirmative duty to take reasonable steps to request and/or render medical aid, as appropriate, where needed?
- Yes
 - No
19. Does the agency have a written directive for officers to complete training annually on implicit bias to help address improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, gender, gender identity, sexual orientation, and disability of individuals?
- Yes
 - No
20. Does the agency have a written directive establishing effective procedures for receiving, investigating, and responding to complaints alleging improper profiling or bias by law enforcement officers?
- Yes
 - No

21. Does the agency have a written directive that establishes mechanisms for holding their officers accountable for violating policies related to use of force, which includes timely and consistent discipline if warranted and appropriate due process protections for officers?
- Yes
 - No
22. Does the agency have a written directive that limits the use of unannounced entries, often referred to as “no knock entries,” to those obtained through judicial authorization or if exigent circumstances arise at the scene such that knocking and announcing the officer’s presence would create an imminent threat of physical violence to the officer and/or another person?
- Yes
 - No
23. Does the agency currently employ body-worn cameras (BWCs) for use by all officers routinely engaged in contact with the public?
- Yes
 - No
24. If the agency employs body-worn cameras (BWCs), does the agency have a written directive on their appropriate use that is designed to ensure that BWCs are worn and activated in all appropriate circumstances, including during arrests and searches, and that BWC video footage is publicly released following incidents involving serious bodily injury or deaths in custody, where appropriate?
- Yes
 - No
25. Does the agency submit data to the FBI’s Law Enforcement Suicide Data Collection?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
26. Does the agency submit data to the FBI’s National Use of Force Data Collection?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No

27. Does the agency submit data to the FBI's Law Enforcement Officers Killed and Assaulted Data Collection?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
28. Does the agency submit data to the FBI's National Incident-Based Reporting System (NIBRS)?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
29. Does the agency submit data to its State Administering Agency related to deaths in custody to support the State's compliance with the Death in Custody Reporting Act?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
30. Does the agency check the National De-Certification Index hosted by IADLEST as a part of the officer hiring, vetting, or promotion process?
- Yes
 - No
31. Does the agency provide immediate access to mental health professionals either through mobile crisis response teams or co-responder teams, to respond to individuals experiencing a behavioral health crisis or with a disability?
- Yes
 - No
32. Does the agency have specific policies and procedures in place to ensure the independence and transparency of investigations and notifications regarding deaths in custody?
- Yes
 - No

Executive and Contact Information

Please provide the name and contact information for the highest-ranking Law Enforcement or Program Official and Government Executive or Financial Official for your agency or organization, please see instructions below.

LAW ENFORCEMENT EXECUTIVE/PROGRAM OFFICIAL

This position will ultimately be responsible for the programmatic management of the award.

Instructions for Law Enforcement Agencies:

For law enforcement agencies, the Law Enforcement Executive is the highest ranking official in the jurisdiction (Chief of Police, Sheriff, or equivalent). Before this application can be submitted, the Entity Administrator in JustGrants must invite this individual to apply for a JustGrants account with the role of Authorized Representative, and this individual must log in to JustGrants to review the application.

Instructions for Non-Law Enforcement Agencies:

For non-law enforcement agencies (e.g., institutions of higher education, school districts, private organizations, etc.), the Program Official is the highest-ranking official in the jurisdiction (e.g., executive director, chief executive officer, or equivalent). Please note that information for non-executive positions (e.g., clerks, trustees) is not acceptable. Before this application can be submitted, the Entity Administrator in JustGrants must invite this individual to apply for a JustGrants account with the role of Authorized Representative, and this individual must log in to JustGrants to review the application.

33a. Title:

33b. First name:

33c. Last name:

33d. Phone:

33e. Email address:

GOVERNMENT EXECUTIVE/FINANCIAL OFFICIAL

This position will ultimately be responsible for the financial management of the award.

Instructions for Government Agencies:

For law enforcement agencies, this is the highest-ranking government official within your jurisdiction (e.g., Superintendent, Mayor, City Administrator, or equivalent). Before this application can be submitted, the Entity Administrator in JustGrants must invite this individual to apply for a JustGrants account with the role of Authorized Representative, and this individual must log in to JustGrants to review the application.

Instructions for Non-Government Agencies:

For non-government agencies, this is the financial official who has the authority to apply for this award on behalf of the applicant agency (e.g., Chief Financial Officer, Treasurer, or equivalent). Please note that information for non-executive positions (e.g., clerks, trustees) is not acceptable. Before this application can be submitted, the Entity Administrator in JustGrants must invite this individual to apply for a JustGrants account with the role of Authorized Representative, and this individual must log in to JustGrants to review the application.

34a. Title: 34b. First name: 34c. Last name: 34d. Phone: 34e. Email address: **Instructions for Application Submitter Contact:**

Enter the application point of contact's name and contact information.

35a. Title: 35b. First name: 35c. Last name: 35d. Phone: 35e. Email address: **Cops Hiring Program Officer Request****Instructions:**

Please enter the actual number of sworn officers employed by your agency as of the date of this application. Do not include funded but currently vacant positions or unpaid positions.

36a. Full-Time: 36b. Part-Time:

Instructions:

Enter the Budgeted Sworn Force Strength for the date of application (the current fiscal year) below. The budgeted number of sworn officer positions is the number of sworn positions funded in your agency's budget, including funded but frozen positions, as well as state, Bureau of Indian Affairs, or locally funded vacancies. Do not include *unfunded* vacancies or unpaid/reserve officers. Do not include non-sworn personnel such as dispatch, court personnel, correctional officers, police technicians. For agencies with previous COPS Office-funded active awards, do not include in your budgeted force strength any COPS-funded officers whose salaries are currently being covered by the 36 months of COPS Office funding.

Number of budgeted sworn officers as of the date of this application, using instructions above.

37a. Full-Time:

37b. Part-Time:

Instructions:

Number of budgeted civilian positions as of the date of this application, using instructions above.

38a. Full-Time:

38b. Part-Time:

Instructions:

The following section will ask about the "population served" by your jurisdiction. The crime data you will enter in this application will be based on crimes occurring among the "actual population served". Population served counts must not be adjusted upward to account for daytime business/shopping visitors, highway traffic passing through a jurisdiction, nor should it include annual visitor totals. Parks and transit agencies should report average daily visitors/riders rather than annual totals.

This may or may not be the same as your census population. For example, a service population may be the census population minus incorporated towns and cities that have their own law enforcement agency within your geographic boundaries. An agency with primary law enforcement authority is defined as having first responder responsibility to calls for service for all types of criminal incidents within its jurisdiction.

39. What is the actual population your department serves as the primary law enforcement entity?

40. Enter the total population of the government entity applying for this award using the latest census estimate available at <https://data.census.gov>. If the population of the entity applying for this award is not represented by census figures (e.g. colleges, special agencies, school police departments), please indicate the size of the population as of the latest available estimate.

40a. Please explain why the "population served" differs from the population of the government entity (from census figures or other estimates). [Please limit your response to a maximum of 125 words.]

Instructions:

Agencies should apply for the number of officer positions necessary to support their proposed community policing strategy. CHP awards cover up to 75 percent of the entry-level salary and fringe benefits for each approved position up to a maximum of \$125,000 total for each position over three years. Note: this is NOT \$125,000 per year, it is \$125,000 spread over three years for each position. There is a minimum 25 percent local cash match (cost share) requirement unless a waiver is approved. Any additional costs for higher than entry-level salaries and fringe benefits will be the responsibility of the recipient agency. Please keep in mind that there is a 12-month retention requirement for each officer position funded. See solicitation document for full details.

The number of officers you request cannot exceed 20% of your agency's current actual sworn force, with a maximum of 50 officers for any agency. Agencies with fewer than 10 officers may request one officer. The COPS Office will fund as many positions as possible for successful applicants; however, the number of officer positions requested by an agency may be reduced based on the availability of funding and other programmatic considerations.

41. How many entry-level, full-time officer positions is your agency requesting in this application? *

*Validation Error Message: *If "0" is entered into field, receive error message: "Requested officer positions must be greater than 0."

IMPORTANT: Please ensure this number matches the number of sworn positions you requested in the detailed budget section of JustGrants.

42. In question 36a, you entered your agency's actual full-time sworn force levels. **Please confirm that you are not asking for more than the 20% cap.** For example, if you have 1-9 officers on staff, request 1 COPS Office-funded officer. If you have 10-14 officers, you may request a maximum of 2 officers. If you have 50 officers, you may request a maximum of 10.
- I confirm, we are not asking for more than the 20% cap.
43. Referencing the web-based budget in this solicitation, please indicate if there was an increase in sworn officer base salary in years 2 and 3. If so, indicate why. (check all that apply).
- COLA
- Step Raises
- Change in Benefit Costs
- No Increase

Instructions:

IMPORTANT: Next, your agency must allocate the number of positions requested under each of the three hiring categories described below based on your agency's current needs at the time of this application. Be mindful of your agency's ability to fill and retain the officer positions awarded, while following your agency's established hiring policies and procedures. CHP awards will be made for officer positions requested in each of the three hiring categories, and recipients are required to use awarded funds for the specific categories awarded.

It is imperative that your agency understand that the COPS Office statutory nonsupplanting requirement mandates that award funds may only be used to supplement (increase) a recipient's law enforcement budget for sworn officer positions and may not supplant (replace) state, local, or tribal funds that a recipient otherwise would have spent on officer positions if it had not received an award. This means that if your agency plans to:

- a. Hire new officer positions (including filling existing vacancies that are no longer funded in your agency's budget): Your agency must hire these new additional positions on or after the official award start date, above its current budgeted (funded) level of sworn officer positions, and otherwise comply with the nonsupplanting requirement as described in detail in the award owner's manual.
- b. Rehire officers who have been laid off by any jurisdiction as a result of state, local, or tribal budget reductions: Your agency must rehire the officers on or after the official award start date, maintain documentation showing the date(s) that the positions were laid off and rehired, and otherwise comply with the nonsupplanting requirement as described in the solicitation documents.

- c. Rehire officers who are (at the time of application) currently scheduled to be laid off (by your jurisdiction) on a specific future date as a result of state, local, or tribal budget reductions: Your agency must continue to fund the officers with its own funds from the award start date until the date of the scheduled lay-off (for example, if the CHP award start date is September 1 and the lay-offs are scheduled for November 1, then the CHP funds may not be used to fund the officers until November 1, the date of the scheduled lay-off); identify the number and date(s) of the scheduled lay-off(s) in this application (see below); maintain documentation showing the date(s) and reason(s) for the lay-off; and otherwise comply with the nonsupplanting requirement as described in detail in the award owner’s manual. [Please note that as long as your agency can document the date that the lay-off(s) would occur if CHP funds were not available, it may transfer the officers to the CHP funding on or immediately after the date of the lay-off without formally completing the administrative steps associated with a lay-off for each individual officer.]

Documentation that may be used to prove that the scheduled lay-offs are occurring for local economic reasons that are unrelated to the availability of CHP award funds may include (but are not limited to) council or departmental meeting minutes, memoranda, notices, or orders discussing the lay-offs; notices provided to the individual officer(s) regarding the date(s) of the lay-offs; or budget documents ordering departmental or jurisdiction-wide budget reductions. These records must be maintained with your agency’s CHP award records during the award period and for a minimum of three years following the date of the submission of the final expenditure report in the event of an audit, monitoring, or other evaluation of your award compliance.

If your agency’s request is funded, your agency will have the opportunity after the award announcement to request an award modification to move awarded funding into the category or categories that meet your agency’s law enforcement needs at that time (including updating the dates of future scheduled lay-offs). *CHPOffReqPosCatInstr*

Category A: *New, additional officer positions (including filling existing vacancies no longer funded in your agency’s budget).*

44a. Category A Request:

Category B: *Rehire officers laid off (from any jurisdiction) as a result of state or local budget reductions.*

44b. Category B Request:

Category C: *Rehire officers scheduled to be laid off (at the time of the application) on a specific future date as a result of state or local budget reductions.*

44c. Category C Request:

Instructions:

We also need some information about when the layoff of officers in this category is scheduled to occur. In the space below, please indicate when the officer(s) specified in this category are scheduled to be laid off.

45a. Number of Officers:

45b. Date these officers are scheduled to be laid off:

45c. Number of Officers:

45d. Date these officers are scheduled to be laid off:

45e. Number of Officers:

45f. Date these officers are scheduled to be laid off:

45g. Number of Officers:

45h. Date these officers are scheduled to be laid off:

46. Since your agency plans to use CHP funds to rehire officers who are currently scheduled to be laid off on a future date (under Category C above), please certify (by checking the appropriate boxes) to the following Certification:

- 46a. My agency has and will maintain documentation showing the date(s) of the scheduled lay-off(s) and demonstrating that the scheduled lay-off(s) is/are occurring for fiscal reasons that are unrelated to the availability or receipt of CHP award funds.
- 46b. My agency will use its own funds to continue funding these officers until the scheduled date(s) of the lay-off(s) and will use CHP funds to rehire these officers only on or after the scheduled date of the lay-off(s).
- 46c. My agency recognizes that the CHP program provides funding based on our entry-level salary and benefits package and that any additional costs for rehired officers beyond entry-level are our responsibility to pay with other sources of funding.

Instructions:

Although hiring military veterans as new hires is not an award requirement, applicants who commit to hiring or rehiring at least one military veteran will receive additional consideration for CHP funding.

If your agency checks "yes" to the question below, your agency will be required to maintain documentation that it made every effort possible (consistent with your internal procedures and policies) to hire at least one military veteran. Under this solicitation, a military veteran is defined as a person who served in the active military, naval, or air service, and who was discharged or released there from under conditions other than dishonorable.

47. Does your agency commit to hire and/or rehire at least one military veteran as defined above for the officer position(s) you have requested?

- Yes
- No

47a. If Yes, how many position(s)?

48. Is your agency requesting that all or some of the officer positions requested be deployed as school resource officers (SROs)?

- Yes
- No

If Yes,

SRO Instructions:

If your agency requests officers to be deployed as school resource officers (SRO), please do not request more officer positions than your agency can expect to deploy in this capacity. According to the COPS Office statute, a school resource officer is “a career law enforcement officer, with sworn authority, deployed in community-oriented policing, and assigned by the employing police department or agency to work in collaboration with schools and community-based organizations— (A) to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary school; (B) to develop or expand crime prevention efforts for students; (C) to educate likely school-age victims in crime prevention and safety; (D) to develop or expand community justice initiatives for students; (E) to train students in conflict resolution, restorative justice, and crime awareness; (F) to assist in the identification of physical changes in the environment that may reduce crime in or around the school; and (G) to assist in developing school policy that addresses crime and to recommend procedural changes.” 34 U.S.C. 10389(4).

There must be an increase in the level of community policing activities performed in and around primary or secondary schools in the agency’s jurisdiction as a result of the award. The time commitment of the funded officers must be above and beyond the amount of time that the agency devoted to the schools before receiving the award.

The COPS Office recommends that an SRO have a minimum of three years of experience as a police officer. Because COPS Office funds must be used for entry level positions, you may deploy experienced police officers to serve as SROs and implement the community policing strategy after hiring the additional entry-level officers with COPS Office award funds. The COPS Office award funds must be used for the newly hired/rehired/scheduled to be laid off position and not that of the veteran/experienced officer.

Recipients using CHP funding to hire or deploy SROs into schools must submit to the COPS Office a signed memorandum of understanding (MOU) between the law enforcement agency and the school partner(s) before obligating or drawing down funds under this award. An MOU is not required at the time of application; however, if the law enforcement agency already has an MOU in place that is applicable to the partnership, the MOU can be uploaded as an attachment in the section of the application titled "MOUs and other Supporting Documents".

The MOU must contain the following: the purpose of the MOU; clearly defined roles and responsibilities of the school district and the law enforcement agency focusing officers' roles on safety, information sharing, supervision responsibility; chain of command for the SRO; and signatures. If awarded, a recipient must submit an MOU to the COPS Office within 90 days from the date shown on the award congratulatory letter. Implementation of the CHP award without submission and acceptance of the required MOU may result in expenditures not being reimbursed by the COPS Office and/or award de-obligation. *CHPOffReqSROInstr*

48a. If Yes, how many of your requested positions in this application will be deployed as school resource officers (SROs)?

*Validation Error Message: This number may not be higher than the total number of officers requested.

48b. If Yes, has your agency reviewed principles presented in the [SRO Guiding Principles](#) document?

- Yes
- No*

*Validation Error Message: Please review the SRO Guiding Principles document before proceeding.

49. For tribal applicants in Alaska only: Check the box below if you are requesting funds for an entry-level career law enforcement Village Police Officer or entry-level career law enforcement Tribal Police Officer.

Instructions:

The following questions will help Congress and the U.S. Department of Justice identify potential gaps in training, as well as eligibility for priority consideration, if applicable.

On average how many hours of IN-SERVICE (non-recruit) training (e.g. FTO, continuing professional education, roll call, standard) are required annually for each of your agency's officers/deputies in the following categories (if none, please indicate 0 hours)?

50a. Use of force (hours):

50b. De-escalation of conflict (hours):

50c. Evidence-based cultural sensitivity training (hours):

50d. Racial and ethnic bias that includes elements of implicit/unconscious bias (hours):

50e. Gender bias in response to domestic violence and sexual assault (hours):

50f. Bias towards lesbian, gay, bisexual, and transgender (LGBT) individuals (hours):

50g. Community engagement (e.g., community policing and problem solving) (hours):

50h. Does your agency administer a police training academy?

- Yes
- No

Instructions:

How many total hours of basic/recruit ACADEMY training are required for each of your agency's officer/deputy recruits in the following categories (if none, please indicate 0 hours)?

51a. Use of force (hours):

51b. De-escalation of conflict (hours):

51c. Evidence-based cultural sensitivity training (hours):

51d. Racial and ethnic bias that includes elements of implicit/unconscious bias (hours):

51e. Gender bias in response to domestic violence and sexual assault (hours):

51f. Bias towards lesbian, gay, bisexual, and transgender (LGBT) individuals (hours):

51g. Community engagement (e.g., community policing and problem solving) (hours):

Law Enforcement and Community Policing Strategy Section 1

Instructions for Community Policing Strategy:

COPS Office funding must be used to reorient the mission and activities of law enforcement agencies through initiating community policing or enhancing their involvement in community policing with the officers hired under this award program or an equal number of experienced officers who have been redeployed to implement this plan after hiring the entry-level COPS Office-funded officers. If awarded funds, your narrative responses in the text boxes below will constitute your agency's community policing strategy under this award. Your organization may be audited or monitored to ensure that it is initiating or enhancing community policing in accordance with this strategy. The COPS Office may also use this information to understand the needs of the field, and potentially provide for training, technical assistance, problem solving, and community policing implementation tools. Please note that the COPS Office recognizes that your COPS Office-funded officer(s) (or an equal number of veteran officers who are redeployed after hiring the entry-level COPS Office funded officers) will engage in a variety of community policing activities and strategies, including participating in some or all aspects of your identified community policing strategy. Your community-policing strategy may be influenced and impacted by others within and outside of your organization, as this is considered beneficial to your community policing efforts.

At any time during your award period, you should be prepared to demonstrate (1) the community policing activities engaged in prior to the award that are detailed in this application and (2) how the award funds and award-funded officers (or an equal number of redeployed veteran officers) were specifically used to enhance (increase) or initiate community policing activities according to your community policing strategy contained in this application.

Community policing needs may change during the life of your award. Minor changes to this strategy may be made without prior approval of the COPS Office; however, the recipient will be required to report on progress or changes to the community policing strategy (if any) through the required performance reports. If your agency's community policing strategy changes significantly, you must submit those changes to the COPS Office for approval. Changes are significant if they deviate from the specific crime problems originally identified and approved in the community policing strategy submitted with the application. In some cases, in reviewing performance reports, the COPS Office may identify significant changes in community policing strategies that require explanation and request for approval.

Applicants that choose problem areas that receive additional priority consideration will not be able to change from these problem/focus areas if awarded CHP funding.

The following is the COPS Office definition of community policing that emphasizes the primary components of community partnerships, organizational transformation, and problem solving. Please refer to the COPS Office web site (<https://cops.usdoj.gov>) for further information regarding this definition.

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem solving techniques to proactively address the immediate conditions that give rise to public safety issues, such as violent crime, non-violent crime, and fear of crime.

The COPS Office has developed the following list of primary sub-elements of community policing. Please refer to the COPS Office [Community Policing Defined](#) publication for further information regarding these sub-elements.

Community Partnerships:

Collaborative partnerships between the law enforcement agency and the individuals and organizations they serve to both develop solutions to problems and increase trust in police.

- Other Government Agencies
- Community Members/Groups
- Non-Profits/Service Providers
- Private Businesses
- Media

Organizational Transformation:

The alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem-solving efforts.

Agency Management

- Climate and culture
- Leadership
- Labor relations
- Decision-making
- Strategic planning
- Policies
- Organizational evaluations
- Transparency

Organizational Structure

- Geographic assignment of officers
- Despecialization
- Resources and finances

Personnel

- Recruitment, hiring and selection
- Personnel supervision/evaluations
- Training

Information Systems (Technology)

- Communication/access to data
- Quality and accuracy of data

Problem Solving:

The process of engaging in the proactive and systematic examination of identified problems to develop effective responses that are rigorously evaluated.

- Scanning: Identifying and prioritizing problems
- Analysis: Analyzing problems
- Response: Responding to problems
- Assessment: Assessing problem-solving initiatives

Using the Crime Triangle to focus on immediate conditions (Victim/Offender/Location)

Instructions for Current Organizational Commitment to Community Policing:

For each of the following statements, please answer in terms of existing agency policies and practices as they relate to collaborative partnerships and problem-solving activities. *(Check all that apply.)*

52. Which of the following internal management practices does your agency currently employ? *(check all that apply)*
- Assignment of officers to specific neighborhoods or areas for longer periods of time to enhance customer service and facilitate more contact between police and citizens.
 - Assignment of officers to geographic hot spots that are defined statistically by creating incident maps to identify geographic clustering of crime and disorder.
 - Early Intervention Systems that help identify officers who may be showing signs of stress, personal problem, and questionable work conduct.
 - None of the above.
53. Which of the following do you count/measure to annually assess your agency's overall performance? *(check all that apply)*
- Response times
 - Problem solving outcomes
 - Department employee satisfaction

- Reduction of crime in identified hot spots
 - Social disorder/nuisance problems (e.g., graffiti, panhandling, loitering)
 - Satisfaction with police services
 - Fear of crime
 - Victimization (i.e. non-reported crime)
 - Community meetings held/attended
 - Use of force incidents
 - Meeting the priorities as identified in your agency's strategic plan
 - My agency does not conduct annual assessments of overall performance
54. Through which of the following does your agency routinely share information with community members? *(check all that apply)*
- Neighborhood, beat, and/or school meetings
 - Local media outlets
 - Agency newsletter
 - Neighborhood newsletters
 - Agency website
 - Social networking (Blogs, Twitter feeds, Facebook pages, etc.)
 - Citizen alert system (telephone, email, text, etc.)
 - Citizen alert system that is geographically targeted, based on updated hot spots
 - Public access television/radio
 - Community organization board membership
 - Public forums with chief/sheriff/command staff
 - Posters, billboards, flyers
 - None of the above
55. Through which of the following ways does your agency formally involve community members in influencing agency practices and operations. *(check all that apply)*
- Citizen police academies
 - Volunteer activities
 - Auxiliary police programs
 - Civilian review boards (i.e. disciplinary review boards)
 - Citizen advisory groups (i.e. informal advisory function)
 - Involvement in hiring decisions (interview panels, selection boards, etc.)
 - Involvement in contributing to annual line officer performance reviews
 - Representation on promotional boards
 - Participation in accountability and performance reporting and tracking meetings
 - Participation in complaint resolution process (formal mediation, disciplinary boards, etc.)
 - None of the above

Instructions for Proposed Community Policing Strategy: Problem Solving and Partnerships

COPS Office awards must be used to initiate or enhance community policing activities with either the newly hired officers funded by this award program or an equivalent number of veteran officers who are redeployed to implement this community policing strategy after hiring the additional entry-level officers with COPS Office award funds. In this section, you will be asked to identify the crime and disorder **problem or a focus area** and the **partners** to be engaged through your requested COPS Office funding. Identifying the specific problem/focus area and partnerships that your agency plans to focus on is important to ensure that you satisfy the requirements for COPS Office funding under this program and to ensure that ultimately the additional award-funded officers (or equivalent number of redeployed veteran officers) will initiate or enhance your agency's capacity to implement community policing strategies and approaches.

Using the following list, select a problem/focus area that will be addressed by the officer(s) requested in this application. Please choose the option that best fits your problem area. **You may only select one problem/focus area** to address through this award funding.

When identifying a problem, it is important to think about the nature of similar incidents that taken together comprise the problem and accordingly **describe it in precise, specific terms** (e.g. "robbery of retail establishments", rather than just "robbery"). In doing this, it can be helpful to consider all aspects of the problem, including the likely offenders, the suitable targets/victims, and how these come together in time and space.

Additional consideration will be given to applicants who propose a community-based approach to one of the four following problem/ focus areas. Applicants who choose one of the community policing problems or priority focus areas listed here must devote 100% of their funded positions to that focus area and will not be allowed to change their choice once the award has been issued.

- **Building Legitimacy and Trust** – Applicant will deploy officers to partner and engage community stakeholders including residents, businesses, and faith-based organizations to prioritize and collectively strengthen a community's response to crime and criminal activity, and focus on enhancing and maintaining community trust and legitimacy between law enforcement and the communities they serve – to include building trust in immigrant communities. Efforts could include deploying or redeploying officers to support officer recruitment and retention efforts, with an emphasis on promoting diversity.
- **Violent Crime/Gun Violence** – Applicant will employ community policing strategies to address a range of violent crime problems. Community-based approaches to combatting gun violence that build trust in underserved communities suffering from high incidents of gun crime will receive additional consideration. Applicants requesting additional consideration for gun violence issues will be asked to describe their holistic, community-based approach. Applicants may wish to review the COPS Office web page on [Community Violence Interventions](#) for ideas on strategies.

- Combating Hate and Domestic Extremism – Applicant will focus on community-based strategies that combat bias-motivated acts of violence that divide our communities, intimidate our most vulnerable citizens, and erode trust in the rule of law.
- Police-based Response to Persons in Crisis – Applicant will focus on deploying officers in crisis intervention teams, participating in crisis intervention teams, improving response and interaction with persons in crisis – to include efforts focused on the education, prevention, addiction, and interventions related to the abuse of opioids and other substances in communities.

56. Problem/Focus Area

- Building Legitimacy and Trust
- Violent Crime: Gun Violence
- Violent Crime: Assault
- Violent Crime: Homicide
- Violent Crime: Rape
- Violent Crime: Robbery
- Violent Crime: Domestic Violence
- Violent Crime: Human Trafficking
- Violent Crime: Protecting and Serving Youth in America
- Violent Crime: Criminal Gangs
- Violent Crime: Drug Manufacturing, Drug Dealing, Drug Trafficking
- Violent Crime: Other Violent Crime
- Combating Hate and Domestic Extremism
- Police-Based Response to Persons in Crisis: Crisis Intervention Teams and Improving Interactions with Persons in Crisis
- Police-Based Response to Persons in Crisis: Opioid or other Substances Education, Prevention, and Intervention
- Homeland Security: Strengthening Partnerships or Task Force Participation
- Homeland Security: Protecting Critical Infrastructure
- Other Innovations in Community Policing

56a. Describe the problem/focus area you have selected above (i.e. location, severity, type of crime [if applicable], impact of issue on community). [Please limit your response to a maximum of 125 words.]

If Gun Violence Selected:

56b. Please include the number of aggravated assaults with a firearm that occurred in your jurisdiction during the last calendar year (2023).

Please include the number of reported shootings that occurred in your jurisdiction during the last two years (2023 and 2022).

56c. Number of Reported Shootings (2023):

56d. Number of Reported Shootings (2022):

56e. Please also describe how you will address this issue using a holistic, community-based approach that builds trust in underserved communities suffering from high incidents of gun crime. Applicants may review the COPS Office web page on [Community Violence Interventions](#) for ideas on strategies [Please limit your response to a maximum of 250 words.]

57. Which of the following information sources did you use to prioritize this problem/focus area as a problem/focus area to address through this award program (*check all that apply*):

- Police department data (e.g. police reports, calls for service, crime data, citizen complaints)
- Agency personnel (e.g. officer feedback, command staff priorities)
- Other local non-law enforcement government agency data
- Community based organizations (e.g. faith based, non-profits, social service providers)
- Local businesses
- Individual community members/community meetings
- Community survey
- Local government officials
- None of the above

58. If awarded funds, my agency will improve our understanding of this problem/focus area by examining (*check all that apply*):
- Routinely collected law enforcement data/information related to the problem (e.g. arrest, incident reports, calls for service)
 - The location and/or time aspects of the problem/focus area (e.g. mapping)
 - The conditions and environmental factors related to the problem/focus area
 - The strengths and limitations of current responses to the problem/focus area
 - Non-law enforcement data/information related to the problem/focus area (e.g. insurance crash data, other government agency data, census data, survey data)
 - Existing research and best practices related to the problem/focus area
 - Data/information from the community related to the problem/focus area (e.g. resident associations, business groups, non-profit community service organizations)
 - Information about offenders contributing to the problem/focus area (e.g. offender interview, arrest records)
 - Information about victims affected by the problem/focus area (e.g. crime reports, victim interviews)
 - Strengths and weaknesses of previous responses to the problem/focus area
 - None of the above
59. If awarded funds, my agency will use the following information sources to assess our response to this problem/focus area to determine whether the response was implemented and achieved the desired outcomes (*check all that apply*):
- Routinely collected law enforcement data/information related to the problem/focus area (e.g. arrests, incident reports, calls for service)
 - Data/information regarding whether the response was implemented as planned
 - Police data collected for this specific problem/focus area (e.g. problem-specific surveys, field interview contact cards)
 - Non-police data/information related to the problem/focus area (e.g. insurance crash data, other government agency data, census data, survey data)
 - Data/information from the community related to the problem/focus area (e.g. resident associations, business groups, non-profit community service organizations)
 - Information about offenders contributing to the problem/focus area (e.g. offender interview, arrest records, probation/parole data)
 - Information about victims and/or stakeholders affected by the problem/focus area (e.g. crime reports, victim interviews)
 - None of the above
60. To the best of your ability at this time, please select from the below list what your primary goals are in responding to your selected problem/focus area (*select up to 3*):
- Reducing the number of incidents
 - Increasing public trust in your agency
 - Reducing the seriousness of the incidents or the amount of harm

- Reducing the number of victims and repeat victims
- Reducing the number of offenders and repeat offenders
- Getting other agencies and stakeholders to assume responsibility for the problem/focus area
- Improving the response to the problem/focus area (i.e. more comprehensive and coordinated way of dealing with the problem/focus area, providing better services to victims, or greater efficiency in dealing with the problem/focus area)
- Improving citizen perceptions of the problem/focus area
- None of the above

61. An important part of a comprehensive community policing strategy is the formation of partnerships, such as working with other public agencies, private organizations, or participation in regional law enforcement partnerships. If awarded funds, will your agency and the award funded officer(s) (or an equivalent number of redeployed veteran officers) initiate or enhance a partnership with an external group/organization to develop responses to this problem/focus area?

- Yes
- No

61a. If yes, how many external groups/organizations will your agency initiate or enhance a partnership with to develop responses to this problem/focus area?*

*Validation Error Message: This value must be greater than "0" since the preceding question was answered with a "Yes".

Name the most important external groups/organizations that your agency will initiate or enhance a partnership with to develop responses to this problem/focus area (maximum of three partners). Note: you may attach optional letters of this support from any or all of these prospective partners in the section titled Memoranda of Understanding (MOU) and Other Supportive Documents. You will be limited to listing no more than three partners per public safety problem/focus area.

62. Partner Name1:

62a. For this partner, please indicate the statement that best characterizes this partner:

- Local government agency (non-law enforcement, e.g., probation/parole, parks and recreation, code enforcement)
- Community based organization (e.g., faith based, community redevelopment groups, social service providers, resident associations)

- Business operating in the community
- Tribal law enforcement agency
- Federal, state, or local law enforcement agency (non-tribal) including through multi-jurisdictional/regional partnerships
- Local educational institution (schools/colleges/universities)
- Individual stakeholders (persons residing, working, or with an interest in the community or problem)

63. Partner Name2:

63a. For this partner, please indicate the statement that best characterizes this partner:

- Local government agency (non-law enforcement, e.g., probation/parole, parks and recreation, code enforcement)
- Community based organization (e.g., faith based, community redevelopment groups, social service providers, resident associations)
- Business operating in the community
- Tribal law enforcement agency
- Federal, state, or local law enforcement agency (non-tribal) including through multi-jurisdictional/regional partnerships
- Local educational institution (schools/colleges/universities)
- Individual stakeholder (persons residing, working, or with an interest in the community or problem)

64. Partner Name3:

64a. For this partner, please indicate the statement that best characterizes this partner:

- Local government agency (non-law enforcement, e.g., probation/parole, parks and recreation, code enforcement)
- Community based organization (e.g., faith based, community redevelopment groups, social service providers, resident associations)
- Business operating in the community
- Tribal law enforcement agency

- Federal, state, or local law enforcement agency (non-tribal) including through multi-jurisdictional/regional partnerships
- Local educational institution (schools/colleges/universities)
- Individual stakeholders (persons residing, working, or with an interest in the community or problem)

Law Enforcement and Community Policing Strategy Section 2

Instructions for Proposed Community Policing Strategy: Organizational Transformation

COPS Office awards must be used to initiate or enhance community policing activities. In this section, you will be asked to identify the organizational change(s) that your agency plans to focus on through your requested COPS Office funding. Identifying the specific organizational change(s) that your agency plans to focus on is important to ensure that you satisfy the requirements for COPS Office funding under this program, and to ensure that ultimately the use of these funds will initiate or enhance your agency's capacity to implement community policing approaches.

If awarded funds, will your agency initiate or enhance any of the following internal changes to personnel management? (Select no more than 2 internal changes to personnel management that will be addressed with these award funds.)

- 65. Flexibility in officer shift assignments to facilitate addressing specific problems.

65a. Please explain.

- 66. Assignment of officers to specific neighborhoods or areas for longer periods of time to enhance customer service and facilitate more contact between police and citizens.

66a. Please explain.

- 67. Recruitment and hiring practices that reflect an orientation towards problem solving and community engagement.

67a. Please explain.

- 68. In-service training for officers on basic and advanced community policing principles.

68a. Please explain.

- 69. Field training officer (FTO) programs that teach and test problem solving, community engagement, and critical thinking skills.

69a. Please explain.

- 70. Measure and include non-enforcement proactive community engagement efforts as part of officer performance evaluations.

70a. Please explain.

- 71. Provide de-escalation training to sworn personnel and promote de-escalation as an important strategy to diffuse potentially volatile situations.

71a. Please explain.

- 72. Early intervention systems that help identify officers who may be showing early signs of stress, personal problems, and questionable work conduct.

72a. Please explain.

- 73. Career development and/or promotional processes (i.e. sergeant exams) that reinforce problem solving and community engagement.

73a. Please explain.

- 74. Implement specific programs to improve the safety and wellness of personnel throughout your organization.

74a. Please explain.

- 75. None of the above.

76. If awarded funds, in addition to the internal changes proposed above, will your agency initiate or enhance screening and counseling programs to identify and prevent the radicalization of applicants and personnel who endorse violent and hateful extremist movements?

- Yes
- No

76a. If Yes, please explain.

If awarded funds, will your agency initiate or enhance any of the following internal changes to agency management? (Select up to 2 internal changes to agency management that will be addressed with these award funds.)

- 77. Agency strategic plan that outlines the goals and objectives around community policing and other departmental priorities.

77a. Please explain.

- 78. Organizational performance measurement systems that include community policing metrics and conduct annual assessments of agency performance.

78a. Please explain.

- 79. Technology systems that provide officers, analysts, and the community better and more timely access to data and information.

79a. Please explain.

- 80. Mediation strategies to resolve citizen complaints.

80a. Please explain.

- 81. Collection, analysis, and use of crime data and information in support of problem-solving goals.

81a. Please explain.

- 82. Formal accreditation process

82a. Please explain.

- 83. System to capture and track problem solving and partnership efforts and activities.

83a. Please explain.

84. An organizational assessment of community policing.

84a. Please explain.

85. None of the above.

86. Did your agency consult with any of the following groups/organizations on the development of this community policing strategy? *(check all that apply)*

- Local government agencies (non-law enforcement, e.g. probation/parole, parks and recreation, code enforcement)
- Community based organizations (e.g. faith based, community redevelopment groups, social service providers, resident associations)
- Businesses operating in the community
- Tribal law enforcement agencies (outside your jurisdiction)
- Other Federal, state, or local law enforcement agencies
- Multi-jurisdictional or regional task forces/partnerships
- Local educational institutions (schools/colleges/universities)
- Local government officials
- Individual stakeholders residing, working or with an interest in the community and/or problem
- None of the above

87. To what extent are there related governmental and/or community initiatives that complement your agency's proposed community policing strategy?

- There are a significant number of related initiatives
- There are a moderate number of related initiatives
- There are a minimal number of related initiatives
- There are no related initiatives

88. To what extent is there community support in your jurisdiction for implementing the proposed community policing strategy?

- High level of support
- Moderate level of support
- Minimum level of support

89. If awarded funds, to what extent will the community policing strategy impact the other components of the criminal justice system in your jurisdiction?

- Potentially decreased impact
- No change in impact
- Potentially increased impact

Community Policing - Problem Area Narrative

90. Describe how your agency will use award funds to address the problem/focus area you selected. Describe your approach, including a long-term strategy and detailed implementation plan that reflects consultation with community groups and appropriate private and public agencies. Explain how the grant will be utilized to reorient your law enforcement agency's mission toward community-oriented policing or enhance its involvement in or commitment to community-oriented policing. [Please limit your response to a maximum of 500 words.]

Data Collection and Reporting

91. Does your agency collect data on the number of officer suicides in your agency?

- Yes
- No

91a. In the past 12 months, how many officer suicides have you recorded in your agency?

92. Does your agency have a suicide prevention training program?

- Yes
- No

93. Does your agency track officers that have been exposed to 'critical incidents' such as murder, suicide, and domestic violence?

- Yes
- No

94. Does your community experience high rates of youth suicide (For the purposes of this question, high is defined as 10 suicides per 100,000 residents aged 10–19)?

- Yes
- No

95. Does your law enforcement agency have a written policy that requires new officers/deputies to reside within the jurisdiction they serve?

- Yes
- No

96. Does your law enforcement agency have a written policy that encourages new or existing officers to relocate to areas characterized by fragmented relationships between police and residents of the community, or where there are high incidents of crime?

- Yes
- No

96a. Check all that apply:

- Reimbursed for moving expenses
- Sign-on bonus
- Consideration for choice of shift or district

96b. Other – Please specify

97. Using UCR crime definitions, does your agency regularly (i.e., daily, weekly, monthly, or quarterly) post crime data on a publicly accessible website?

- Yes
- No

97a. If yes, please provide the website address:

Duplication of Funding

Instructions:

Applicants are required to disclose whether they have pending applications for federally funded assistance or active federal awards that support the same or similar activities or services for which funding is being requested under this application.

Be advised that as a general rule, COPS Office funding may not be used for the same item or service funded through another funding source. However, leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate. To aid the COPS Office in the prevention of awarding potentially duplicative funding, please indicate whether your agency has a pending application or an active award with any other federal funding source (e.g., direct federal funding or indirect federal funding through state sub-awarded federal funds) which supports the same or similar activities or services as being proposed in this COPS Office application.

98. Do you have any current, active non-COPS Office award with any other federal funding source (e.g., direct federal funding or indirect federal funding through state subawarded federal funds) that supports the same or similar activities or services as being proposed in this COPS Office application?

- Yes
- No

98a. If Yes, for each potentially duplicative non-COPS Office award, provide the following detailed information: name of federal awarding agency, or state agency for subawarded federal funding; award number; program name; award start and end dates; award amount; and description of how this project differs from the application for COPS Office funding.

99. Do you have any pending non-COPS Office grant applications with any other federal funding source (e.g., direct federal funding or indirect federal funding through state subawarded federal funds) that support the same or similar activities or services as being proposed in this COPS Office application?

- Yes
- No

99a. If Yes, for each potentially duplicative non-COPS Office grant application, provide the following detailed information: application number (if known); program name; project length; total requested amount; items requested; and describe how this project differs from the application for COPS Office funding.

Fiscal Health and UCR/NBIRS Data

Need for Federal Assistance

100. All applicants are required to explain their inability to address the need for this award without federal assistance. Please do so in the space below. [Please limit your response to a maximum of 500 words.]

Please refer to the U.S. Census Bureau’s [Historical County Level Poverty Estimates Tool](#). This Excel-based tool accesses county-level poverty rates from the 1960–2000 Decennial Census as well as estimates from 2010 based on 5-year data from the ACS. Please enter your county’s poverty rate for 1990, 2000, and 2010. If your agency does not service counties, please enter the state average. All figures must be rounded to the nearest whole percent.

101. Does your law enforcement agency service a COUNTY that has had 20 percent or more of its population living in poverty over the past 30 years?

- Yes
- No

[If Yes] Please enter your county’s poverty rate for 1990, 2000, and 2010. If your agency does not service counties, please enter the state average. All figures must be rounded to the nearest whole percent. [Required]

101a. Poverty Rate (1990):	<input type="text"/>
101b. Poverty Rate (2000):	<input type="text"/>
101c. Poverty Rate (2010):	<input type="text"/>

Instructions:

Enter your law enforcement agency's total operating budget for the current AND the previous fiscal year. Note this is the operating budget that your locality sets aside specifically for law enforcement and does not include other city/county/state services. The operating budget generally includes salaries as well as operations. *Please note: All figures must be rounded to the nearest whole dollar.* [Required]

102. CURRENT FISCAL YEAR:
103. PREVIOUS FISCAL YEAR:

Instructions:

The U.S. Census Bureau American Community Survey (ACS) provides multi-year poverty rate estimates for communities. Please go to the U.S. Census Bureau (<https://data.census.gov>) to determine the percentage of individuals in poverty in your jurisdiction. For jurisdictions not included in the census (e.g., schools, universities, transit, parks), please check the box for "Not Applicable." Please note: All figures must be rounded to the nearest whole percent.

104. Percentage of individuals in poverty*:
- 104a. Not Applicable.

*Validation Error Message: The percentage entered must be less than 100.

Instructions:

The Bureau of Labor Statistics' Local Area Unemployment Statistics (LAUS) program provides monthly estimates of unemployment for communities. Please go to the Bureau of Labor Statistics' LAUS website (<http://www.bls.gov/lau/data.htm>) to find detailed instructions for looking up your local area's unemployment rate. It may be necessary to select the nearest best match to your jurisdiction (for example, a city of fewer than 25,000 people may report their county level rate). For jurisdictions not included in the census (e.g., schools, universities, transit, parks), please check the box for "Not Applicable". Please note: All figures must be rounded to the nearest whole percent.

105. Percentage (%) unemployed for October 2023*:
- 105a. Not Applicable *FscHlthUCRBSNA*

*Validation Error Message: The percentage entered must be less than 100.

106. Since January 1, 2024, has your agency taken on additional law enforcement duties and responsibilities resulting from an agency merger or the disbanding of a neighboring law enforcement agency (which did not result in a new or supplemented funded contract to provide these law enforcement services)?

- Yes
- No

Instructions:

If your agency has faced an unanticipated catastrophic event that had a significant impact on the delivery of law enforcement services or have experienced an unusually large increase in the number of homicides in the past year, please check the box below. Examples of unanticipated catastrophic events includes mass shootings, terrorist attacks, natural disasters, or other events leading to mass casualties that would not necessarily be reflected in the UCR/NBIRS crime statistics previously reported. Please note that if your jurisdiction is faced with an unanticipated catastrophic event (e.g., mass shooting, terrorist attack, other mass casualty event) after submission of this application, but before the application closing date, you should contact the COPS Office immediately at AskCOPSRC@usdoj.gov to update your application to include this information.

- 107. If your agency experienced a major disaster or catastrophic event in the time period from January 1, 2023 to present, check this box.

If Yes: Please describe the major disaster or catastrophic event and include the following bulleted information. *FscIhthUCRCatalInstr2*

- Description of event (including number of casualties)
- Type of event (major disaster, mass shooting, bombing, etc.)
- Impact of the event on delivery of law enforcement services
- Duration of the event (how long will law enforcement services be impacted by the event until recovery)
- Law enforcement response and recovery efforts

107a. Please specify: (Please limit your response to a maximum of 125 words)

Instructions:

Using UCR/NBIRS crime definitions, enter the actual number of incidents reported to your agency in the previous two calendar years (2023 and 2022) for the following crime types. Note that only those incidents for which your agency had primary response authority should be provided. Please enter 0 (zero) to indicate no incidents in a particular year/type. Do not enter N/A if no incidents were reported - enter 0 (zero). **Do not enter N/A if data is not available – enter an estimate based on historical data.**

- 108. Criminal Homicide (2023):
- 109. Criminal Homicide (2022):

- 110. Rape (2023):
- 111. Rape (2022):
- 112. Robbery (2023):
- 113. Robbery (2022):
- 114. Burglary (2023):
- 115. Burglary (2022):
- 116. Aggravated Assault (2023):
- 117. Aggravated Assault (2022):
- 118. Motor Vehicle Theft (2023):
- 119. Motor Vehicle Theft (2022):
- 120. Larceny (except motor vehicle theft) (2023):
- 121. Larceny (except motor vehicle theft) (2022):

- 122. If awarded funds, will your agency commit to regularly collecting, analyzing, and reporting incidents of hate crimes to the FBI as part of their annual Uniform Crime Reporting/NBIRS reporting?
 - Yes
 - No

Instructions:

Agency Profile Questions (these questions are for informational purposes only and will not be scored).

- 123. Does your agency have a wellness policy or program for officers?
 - Yes
 - No

123a. If yes, which groups does it cover: (check all that apply)

- Sworn Officers/Deputies
- Civilian Staff
- Retired Officers/Deputies
- Retired Staff
- Correctional Officers/Staff
- Family Members/Significant Others
- Other

124. Does your agency report crime data to the National Incident-Based Reporting System (NIBRS)?

- Yes
- No

125. Does your agency utilize the National Integrated Ballistic Information Network (NIBIN)?

- Yes
- No

126. Does your agency have a dedicated or specific investigator to investigate reported hate crimes, or a unit dedicated to investigating bias-motivated incidents/hate crimes?

- Yes
- No

Continuation of Project after Federal Funding Ends

Instructions for the Continuation of Project after Federal Funding Ends:

Applicants must plan to retain all sworn officer positions awarded under your COPS Office hiring award for a minimum of 12 months at the conclusion of 36 months of federal funding for each position. The retained COPS Office-funded positions should be added to your agency's law enforcement budget with state and/or local funds at the end of award funding, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the award. These additional position(s) must be retained using state, local, or other nonfederal funding only. The retention period may begin during the five-year period of performance of the award and may extend beyond the end date of the award. You may not use funds awarded by other federal awards to cover the costs of retention. At the time of award application, applicants must affirm that they plan to retain the positions and identify the planned source(s) of retention funding. We understand that your agency's source(s) of retention funding may change during the life of the award. Your agency should maintain proper documentation of any changes in the event of an audit, monitoring or other evaluation of your award compliance. Please refer to the frequently asked questions on retention which can be found here <https://cops.usdoj.gov/chp>.

Note: Agencies that do not plan to retain all the positions awarded under this award are ineligible to receive CHP funding.

127. Will your agency plan to retain any additional positions awarded under this award for a minimum of 12 months at the conclusion of federal funding for each position?

- Yes
- No*

*Validation Error Message: You may not be eligible to apply for this solicitation. Please contact the COPS Response Center at AskCOPSRC@usdoj.gov.

127a. Please identify the source(s) of funding that your agency plans to utilize to cover the costs of retention: (check all that apply)

- General funds
- Raise bond/tax issue
- Private sources/donations
- Nonfederal asset forfeiture funds (subject to approval from the state or local oversight agency)
- Fundraising efforts
- State, local, or other nonfederal award funding
- Other

127b. If other, please provide a brief description of the source(s) of funding. (Please limit your response to a maximum of 125 words)

128. If your agency received CHP funding prior to October 1, 2018, please certify that your agency has or is retaining any CHP-funded officers for the required 12-month retention period. [Dropdown]

- Has or Is Retaining
- Not Retaining
- Not Applicable

Official Partner(S) Contact Information

Instructions:

An official "partner" under the award may be a governmental, private, school district, or other applicable entity that has established a legal, contractual, or other agreement with the applicant for the purpose of supporting and working together for mutual benefits of the award.

Partner 1

129a. Title:

129b. First Name:

129c. Last Name:

129d. Name of Partner Agency (e.g., Smithville Community Center):

129e. Type of Partner Agency (e.g., School District):

129f. Street1:

129g. Street2:

129h. City:

129i. State:

129j. Zip/Postal Code:

129k. Phone:

129l. Email Address:

Partner 2

130a. Title:

130b. First Name:

130c. Last Name:

130d. Name of Partner Agency (e.g., Smithville Community Center):

130e. Type of Partner Agency (e.g., School District):

130f. Street1:

130g. Street2:

130h. City:

130i. State:

130j. Zip/Postal Code:

130k. Phone:

130l. Email Address:

Partner 3

131a. Title:

131b. First Name:

131c. Last Name:

131d. Name of Partner Agency (e.g., Smithville Community Center):

131e. <u>Type</u> of Partner Agency (e.g., School District):	<input type="text"/>
131f. Street1:	<input type="text"/>
131g. Street2:	<input type="text"/>
131h. City:	<input type="text"/>
131i. State:	<input type="text"/>
131j. Zip/Postal Code:	<input type="text"/>
131k. Phone:	<input type="text"/>
131l. Email Address:	<input type="text"/>

28 CFR Part 23 (Criminal Intelligence)

Certification of Review of 28 C.F.R. Part 23/Criminal Intelligence Systems:

If your agency is requesting COPS Office funds for equipment or technology that will be used to operate an interjurisdictional criminal intelligence system that receives, stores, analyzes, exchanges, or disseminates data regarding ongoing criminal activities, you must agree to comply with the operating principles at 28 C.F.R Part 23.

If you are requesting COPS Office funds to operate a single agency database (or other unrelated forms of technology) and will not share criminal intelligence data with other jurisdictions, 28 C.F.R. Part 23 does not apply.

132. Please check one of the following, as applicable to your agency's intended use of COPS Office funds:

- No, my agency will not use these COPS Office funds (if awarded) to operate an interjurisdictional criminal intelligence system.
- Yes, my agency will use these COPS Office funds (if awarded) to operate an interjurisdictional criminal intelligence system and will comply with the requirements of 28 C.F.R. Part 23.

Certification of Review and Representation of Compliance

- 133. By checking the box, the applicant indicates he or she understands that the signatures of the Law Enforcement Executive /Program Official, Government Executive / Financial Official, and the Person Submitting this Application on the Reviews and Certifications represent to the COPS Office that: 1. the applicant will comply with all legal, administrative, and programmatic requirements that govern the applicant for acceptance and use of federal funds as outlined in the applicable COPS Office Grant Application Resource Guide, the COPS Office award owner's manual, the DOJ Grants Financial Guide, Assurances, Certifications and all other applicable program regulations, laws, orders, and circulars; 2. the applicant understands that as a general rule COPS Office funding may not be used for the same item or service funded through another funding source; and 3. the applicant and any required or identified official partner(s) listed in this application mutually agreed to this partnership prior to submission.
- 134. By checking the box, the applicant indicates he or she provide a certification that: 1. the programs to be funded by the grant meet all the requirements of the COPS Office statute (34 U.S.C. § 10381, et seq.) ; 2. all the information contained in the application is correct; and 3. the applicant will comply with all provisions of the COPS Office statute (34 U.S.C. § 10381, et seq.) and all other applicable Federal laws.

*Validation Error Message: Please check the box.

Acknowledgement of Electronic Signature

135. By checking the box, the applicant indicates that he or she understands that "clicking to agree" in this application and the required forms, including the Assurances, Certifications, and Disclosure of Lobbying Activities form are just as legally enforceable as physical signatures.

I understand.

*Validation Error Message: Please check the box.

**U.S. Department of Justice Coordinated Tribal
Assistance Solicitation
Inventory of Federal Priorities for Policing**

The following questions will help the U.S. Department of Justice evaluate the possibility for priority consideration, where appropriate, and identify potential gaps in training and technical assistance.

1. Does the agency have a written directive to prioritize the recruitment and hiring of personnel who are representative of the communities they are sworn to serve?
 - Yes
 - No

2. Does the agency have a written directive that requires a background investigation of each candidate for officer positions conducted prior to appointment and include, consistent with the First Amendment and all applicable laws, a check of publicly available internet and information sharing sites to identify activity that promotes or supports unlawful violence or unlawful bias against persons based on race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability?
 - Yes
 - No

3. Does the agency have a written directive that requires the performance evaluation of all officers and supervisors to be conducted and documented at least annually, including (among other factors):
 - a. An assessment of adherence to agency policies; and
 - b. For supervisors, an assessment of their effectiveness in addressing misconduct by officers they supervise.
 - Yes
 - No

4. Does the agency encourage officer wellness (e.g., support for substance use disorders, mental health issues, trauma resilience, and suicide prevention) through policies and procedures?
 - Yes
 - No

5. Does the agency have a written directive that officers may use deadly force only when the officer has an objectively reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person?
- Yes
 - No
6. Does the agency have a written directive that prohibits the discharge of firearms from a moving vehicle except in exigent circumstances where the officer has an articulable reason for this use of deadly force?
- Yes
 - No
7. Does the agency have a written directive that prohibits the discharge of firearms at a moving vehicle unless:
- a. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
 - b. The vehicle is operated in a manner that threatens to cause death or serious physical injury to the officer or others, and no other objectively reasonable means of defense appear to exist, which includes moving out of the path of the vehicle.
- Yes
 - No
8. Does the agency prohibit the use of chokeholds and carotid (or vascular neck) restraints except where the use of deadly force is authorized by law?
- Yes
 - No
9. Does the agency have a written directive stating that officers should employ de-escalation techniques when possible but may use force that is objectively reasonable to accomplish lawful objectives?
- Yes
 - No
10. Does the agency have a written directive that establishes the affirmative duty to take reasonable steps to intervene, i.e., to prevent or stop, as appropriate, any officer from engaging in excessive force or any other use of force that violates the Constitution, other laws, or agency policy on the reasonable use of force?
- Yes
 - No

11. Does the agency have a written directive that establishes the affirmative duty to take reasonable steps to request and/or render medical aid, as appropriate, where needed?
 - Yes
 - No
12. Does the agency have a written directive for officers to complete training annually on implicit bias to help address improper profiling based on the actual or perceived race, ethnicity, national origin, limited English proficiency, religion, gender, gender identity, sexual orientation, and disability of individuals?
 - Yes
 - No
13. Does the agency have a written directive establishing effective procedures for receiving, investigating, and responding to complaints alleging improper profiling or bias by law enforcement officers?
 - Yes
 - No
14. Does the agency have a written directive that establishes mechanisms for holding their officers accountable for violating policies related to use of force, which includes timely and consistent discipline if warranted and appropriate due process protections for officers?
 - Yes
 - No
15. Does the agency have a written directive that limits the use of unannounced entries, often referred to as "no knock entries," to those obtained through judicial authorization or if exigent circumstances arise at the scene such that knocking and announcing the officer's presence would create an imminent threat of physical violence to the officer and/or another person?
 - Yes
 - No
16. Does the agency currently employ body-worn cameras (BWCs) for use by all officers routinely engaged in contact with the public?
 - Yes
 - No

17. If the agency employs body-worn cameras (BWCs), does the agency have a written directive on their appropriate use that is designed to ensure that BWCs are worn and activated in all appropriate circumstances, including during arrests and searches, and that BWC video footage is publicly released following incidents involving serious bodily injury or deaths in custody, where appropriate?
- Yes
 - No
18. Does the agency submit data to the FBI's Law Enforcement Suicide Data Collection?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
19. Does the agency submit data to the FBI's National Use of Force Data Collection?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
20. Does the agency submit data to the FBI's Law Enforcement Officers Killed and Assaulted Data Collection?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
21. Does the agency submit data to the FBI's National Incident-Based Reporting System (NIBRS)?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
22. Does the agency submit data to its State Administering Agency related to deaths in custody to support the State's compliance with the Death in Custody Reporting Act?
- Yes, the agency currently submits data or can demonstrate that it is actively working towards the ability to submit to this data collection effort.
 - No
23. Does the agency check the National De-Certification Index hosted by IADLEST as a part of the officer hiring, vetting, or promotion process?
- Yes
 - No

24. Does the agency provide immediate access to mental health professionals either through mobile crisis response teams or co-responder teams, to respond to individuals experiencing a behavioral health crisis or with a disability?
- Yes
 - No
25. Does the agency have specific policies and procedures in place to ensure the independence and transparency of investigations and notifications regarding deaths in custody?
- Yes
 - No

Eastern Band of Cherokee Indians	1005515	NC02702	Failure to Provide Documentation	Resolved	Compliance Issue	COFS Staff asked the grantees to provide supporting documentation by December 2, 2017 in preparation for the COBGR conducted for TRGP-L/T Grants #2015HFW00035 and #2015HFW00038 on December 6, 2017. While some of the documentation was submitted to COFS prior to the COBGR, the grant progress narrative, community polling narratives, and the majority of documentation to support expenditures were not provided by the due date.	Provided Adequate Compliance Doc	Violation	TRGP-L/T	COBGR	4/26/19
Pauma Band of Mission Indians	1005517	CA18827	Failure to Provide Documentation	Resolved	Compliance Issue	On Tuesday, April 3, Management Analyst LaToya Pickett Bell conducted a site visit with the Pauma Band of Mission Indians in Pauma, CA. Ms. Pickett Bell was unable to conduct a financial, administrative or programmatic review, as the Department failed to complete and provide the required items that were included in the site visit notification package. The Department failed to provide the following items: a detailed list of budget expenditures and supporting documentation; purchase orders including the grant number; a list of assignments; a list of community polling narratives; a list of COFS-funded officers primary activities and names of assignments; lists unable to review for unallowable costs, unsupported costs, excess cash, misuse of funds, local vacancies, reductions in force, early hire, early purchases, sub-sources and contractor/consultant rates.	Respal E. Offort	NULL	TRGP-L/T, TRGP-HBE	Site Visit	5/2/19
Pauma Band of Mission Indians	1005517	CA18827	Failure to Provide Documentation	Resolved	Compliance Issue	On Tuesday, April 3, Management Analyst LaToya Pickett Bell conducted a site visit with the Pauma Band of Mission Indians in Pauma, CA. Ms. Pickett Bell was unable to conduct a financial, administrative or programmatic review, as the Department failed to complete and provide the required items that were included in the site visit notification package. The Department failed to provide the following items: a detailed list of budget expenditures and supporting documentation; purchase orders including the grant number; a list of assignments; a list of community polling narratives; a list of COFS-funded officers primary activities and names of assignments; lists unable to review for unallowable costs, unsupported costs, excess cash, misuse of funds, local vacancies, reductions in force, early hire, early purchases, sub-sources and contractor/consultant rates.	Respal E. Offort	NULL	TRGP-L/T, TRGP-HBE	Site Visit	5/2/19
Opala Vision Tribal Department of Public Safety	1005529	N004622	Failure to Provide Documentation	Resolved	Compliance Issue	The grantees failed to provide community polling narratives as part of the documentation to be provided for the site visit. A notice of noncompliance will be sent to the grantees to resolve by providing the necessary documentation.	Provided Adequate Compliance Doc	Non-Violation	TRGP-L/T	Site Visit	1/1/19
Opala Vision Tribe	1005530	S007297	Failure to Provide Documentation	Resolved	Compliance Issue	The grantees failed to provide community polling narratives as part of the documentation to be provided for the site visit. A notice of noncompliance will be sent to the grantees to resolve by providing the necessary documentation.	Provided Adequate Compliance Doc	Non-Violation	TRGP-L/T, TRGP-HBE	Site Visit	1/1/19
Standing Rock Sioux Tribe	1005555	NC05557	Failure to Provide Documentation	Resolved	Compliance Issue	On Wednesday, January 30, 2019, the COFS Office issued an Enhanced Office-Based Grant Review (COBGR) notification letter to the Tribe. The scheduled date for the COBGR was Wednesday, March 27, 2019. The Tribe was required to provide the supporting documentation to the COFS Office in preparation of the COBGR by Wednesday, March 13, 2019. On Monday, March 19, 2019, a reviewer provided the documentation. The Tribe was provided a suspense date of Tuesday, March 19, 2019 to provide the documentation. On Wednesday, March 27, 2019, the morning of the scheduled COBGR, I received a telephone call from Director Jeff Kelly explaining that the Tribe had insufficient time to prepare for the COBGR and subsequently requested an extension. The Tribe was provided a new suspense date of COB Wednesday, March 27, 2019, to provide the documentation to the COBGR. Under the condition that the Tribe provided the required documentation on the agreed upon date. On April 2, 2019, a Notice of Noncompliance for Failure to Provide Documentation letter was issued to the Tribe. The Tribe was provided another suspense date of Sunday, April 7, 2019, to provide the supporting documentation. Due to the new suspense date, afforded to the Tribe to provide the documentation to and to allow for the Tribe to review the documentation, the Tribe was provided a new suspense date of April 16, 2019 @ 10:00 a.m. On April 16, 2019, a copy of the COBGR, I placed a phone call to Director Kelly and left a voicemail informing him of the Tribe's noncompliance of the grant monitoring requirements and failure to provide documentation. It was also stated that the remaining grant funds in the amount of \$110,380.25 under the 2012 TRGP-HBE grant have been placed on hold until the grant review is completed and any identified compliance issues have been resolved.	Other	Violation	TRGP-L/T, TRGP-HBE	COBGR	4/16/19

Mississippi Band of Choctaw Indians	1000769 MS04027	Failure to Provide Documentation	Resolved	Compliance Issue	On Thursday, July 16, 2020, Lead Grant Program Specialist Andrea Little and Management Analyst Lisa Peacock conducted a site visit to the Mississippi Band of Choctaw Indians. Prior to the EOBGR, the Tribe was issued a "Request for Documentation" letter, which explained the documentation that was to be provided to the COPS Office prior to the EOBGR to assist in the review of the Tribe's awards. As of the date of the EOBGR, the Tribe had failed to provide a copy of the 8 most recent property inventory records. Consequently, the Tribe was provided a suspense date of Thursday, July 23, 2020 to provide the requested documentation. The Tribe has not provided the requested documentation as of 7:59 AM on Friday, July 24, 2020. The Tribe was provided a suspense date of Friday, October 2, 2020, to provide the requested documentation. This issue will be resolved upon receipt of the inventory records.	TRGP E/IT	COBGR	9/13/20
Michigan Department of State Police	1000700 MS32003	Failure to Provide Documentation	Resolved	Compliance Issue	During the EOBGR the awardee was cited for failure to provide documentation for not providing proof of payment for the two (2) Traffic unit expenses totaling \$38,880 and \$9,215 respectively prior to the EOBGR.	AMTF	COBGR	9/29/20
Chickasaw Nation	1000748 OK12927	Sole Source	Resolved	Administrative Issue	The Tribe failed to obtain a sole source justification from the COPS Office. TRGP Equipment/Training recipients who have been awarded funding for the procurement of an item or service in excess of \$250,000 and who plan to seek approval for use of noncompetitive procurement process must provide a written sole source justification to the COPS Office for approval prior to obligating, expending, or awarding funds. The Tribe failed to provide a written justification to the COPS Office. The Tribe was notified of this issue on Friday, October 2, 2020, and advised that they would submit a justification for the purchase of laptops by July 2, 2021. If not approved by COPS Office, the Tribe will be required to pay the drawn down amount of \$215,924.	TRGP E/IT	COBGR	6/4/21
City of Florence	1000754 MA11327	Grant Modifications	Resolved	Administrative Issue	On Wednesday, July 21, 2021, Auditor Tamm Osoi performed an Enhanced Office-based Grant Review (EOBGR) on the award #2018BYW00001 for a total amount of \$452,287. The federal share of the amount is \$339,500 and the local share is \$113,197. The award was for 7 year/24 month award period. During the EOBGR, we identified an administrative issue. Per FCM, the City of Florence was approved to purchase laptops, instead, tablets were purchased. The City received an email approval to proceed with the purchase on May, 2019. We determined that the City of Florence did not submit a Budget Modification for the item being purchased. The City of Florence will submit a Budget Modification as soon as possible for approval to resolve this administrative issue.	SYPP	COBGR	8/19/23
Bureau of Criminal ID and Identification	1000762 OKB0300	Sole Source	Resolved	Administrative Issue	The Department expended \$506,458 for 8 Portable Drug Analyzers under purchase order #17798. Under the award terms and conditions, a sole source justification is needed for expenditures over \$250,000. The Department will need to submit a sole source justification through JustGrants to Aleka Pearson, CFS for Attorney General of Ohio. If not approved by the CFS, the Department will be required to submit a Budget Modification to Aleka Pearson. The Department expended \$349,975 for 5 Portable Drug Analyzers under purchase order #26692 under award #2019PW00005 and \$276,624 for 4 Portable Drug Analyzers under purchase order #26692 #134295 under award #2020PW00011. Under the award terms and conditions, a sole source justification is needed for expenditures over \$250,000. The Department will need to submit a sole source justification through JustGrants to Aleka Pearson, CFS for Attorney General of Ohio. If not approved by the CFS, the Department will be required to submit a Budget Modification for the award in the amount of \$626,599.	AMTF	COBGR	10/19/23
Ohio Organized Crime Repression and Prevention Commission	1000765 OH02445	Sole Source	Resolved	Administrative Issue	On September 13, 2021, an EOBGR was conducted on the City of Omaha - Omaha Police Department (OPD). Through the review conducted on the documentation provided by OPD, it was determined that the Department had not retained the sworn officer positions with local funding for 12-months. (During the completion of 36 months of award implementation for positions listed under the award).	AMTF	COBGR	10/19/23
City of Omaha	1000762 NB02803	Retention - Failure to Retain	Resolved	Compliance Issue	On 11/18/2021, Management Analyst LaToya Pickett Bell conducted an EOBGR with NAWHE. At the time of the EOBGR, the Department did not provide proof of payment for the award expenditures. As explained by the Department, they currently don't have a P&L (Profit and Loss); however, they use an excel spreadsheet to track expenditures. They are currently in the process of switching to QuickBooks online, which should be done by December 31, 2021. At the time of the review, the Department did not have a documentation demonstrating payment being made (i.e. an accounting system, general ledger).	CIP	COBGR	10/21/21
National Association of Women Law Enforcement Exec.	1000776 KS00322	Failure to Provide Documentation	Resolved	Compliance Issue	Provided Adequate Compliance Doc	CIP	COBGR	12/29/23

FL Pierce-Pike Department	1000851 100601	Failure to Provide Documentation	Resolved	Compliance Issue	On November 1, 2022, LAFroya PKPact Bed conducted an OIGRA with the Department. As explained in the notification letter that was issued to the Department on September 21, 2022, the Department was required to submit a detailed budget for the period of August 1, 2022, to September 30, 2022, for review. The following documentation has not been received: a copy of the related personnel roster or other similar documents authorizing the hiring and/or termination for Officers/Baristas, a copy of the related financial statements for the period of August 1, 2022, to September 30, 2022, and a copy of the related OIGRA. The Department was notified on August 11, 2022, that the Department had not received the general budget for FY 2020, which is needed to conduct a thorough financial analysis of the award. Furthermore, expenditures related to the award should clearly identify a COP's specific cost code in the Department's accounting system, but that certain expenditures will appear as multi-	Violation	COP	1000851	11/16/22
FL Pierce-Pike Department	1000851 100601	Other	Resolved	Administrative Issue	On November 1, 2022, LAFroya PKPact Bed conducted an OIGRA with the Department. At the time of the meeting, the award was not approved by the Department's performance reporting system. The Department was notified on August 11, 2022, that the Department had not received the general budget for FY 2020, which is needed to conduct a thorough financial analysis of the award. Furthermore, expenditures related to the award should clearly identify a COP's specific cost code in the Department's accounting system, but that certain expenditures will appear as multi-	Violation	COP	1000851	11/16/22
FL Pierce-Pike Department	1000851 100601	Grant Modification	Resolved	Administrative Issue	On November 1, 2022, LAFroya PKPact Bed conducted an OIGRA with the Department. The Department was encouraged to consult with the Grant Program Specialist Verónica Frattone in discussing the award's details.	Violation	COP	1000851	11/16/22
Walton County Sheriff's Department	1000851 100600	Grant Modification	Resolved	Administrative Issue	BUDGET MODIFICATION: The Department requested award funds for cost category that was not approved by the Department's performance reporting system. The Department was notified on August 11, 2022, that the Department had not received the general budget for FY 2020, which is needed to conduct a thorough financial analysis of the award. Furthermore, expenditures related to the award should clearly identify a COP's specific cost code in the Department's accounting system, but that certain expenditures will appear as multi-	Violation	COP	1000851	11/16/22
Met of Lawrence Township	1000851 100117	Failure to Provide Documentation	Resolved	Compliance Issue	In the formal OIGRA notification letter that was issued to the Department on April 7, 2022, and as explained in the notification letter that was issued to the Department on March 10, 2022, the Department was required to submit a detailed budget for the period of April 1, 2022, to September 30, 2022, for review. The following documentation (i.e. general budget) that supports each cost category as it appears in the awarded budget in the ICM. Expenditures related to the award should clearly identify a COP's specific cost code in the Department's accounting system, but that certain expenditures will appear as multi-	Violation	SWP	1000851	1/18/22
Met of Lawrence Township	1000851 100117	Financial Reports	Resolved	Compliance Issue	All the time of the OIGRA, it was determined that the Department was delinquent in filing both the programmatic performance and financial federal reports for the quarter periods ending on January 31, 2022 and July 31, 2022 (programmatic performance reports) and September 30, 2022 (financial federal reports). The Department was notified on August 11, 2022, that the Department had not received the general budget for FY 2020, which is needed to conduct a thorough financial analysis of the award. Furthermore, expenditures related to the award should clearly identify a COP's specific cost code in the Department's accounting system, but that certain expenditures will appear as multi-	Violation	SWP	1000851	1/18/22

MWD of Lawrence Township	1000963	IND0137	Programmatic Reporting - Delinquent	Resolved	Compliance Issue	At the time of the OIG/GA, it was determined that the Department was delinquent in filing both the programmatic performance and financial federal reports for the quarter periods ending on January 31, 2022, and July 31, 2022 (programmatic performance report) and September 30, 2022 (financial federal report). On September 15, 2022, the Department submitted the required federal reports for the period of January 1, 2022 - March 31, 2022. On July 21, 2022, the Department submitted the delinquent federal financial report for the period of January 1, 2022 - March 31, 2022. The Department indicated zero for federal expenditures. The report was submitted on October 30, 2022. As of the date of this letter, the performance report for the reporting period (August 1, 2021 - January 31, 2022) has not been submitted. The performance report for the period (January 1, 2021 - July 31, 2022) has not been submitted. As of the date of this letter, the feedback letter was issued on 1/18/2023 instructing the Department to submit the delinquent semi-annual performance reports and the federal financial report by February 29, 2023.	Received Progress Reports	NULL	SYPP	OIG/GA	7/19/23
Park County Sheriff's Department	1000966	MD13400	Failure to Provide Documentation	Resolved	Compliance Issue	On December 7, 2022, LaToya Pickett Bell conducted an OIG/GA with the department. As established in the notification and request for documentation letter that was issued to the Department on Wednesday, September 28, 2022, the Department was required to submit specific documentation in preparation of the desk review. As a result, Mrs. Pickett Bell was unable to conduct a thorough review of the documentation. On November 7, 2022, LaToya Pickett Bell conducted an OIG/GA with the department. It was determined that the Department was previously delinquent in submitting both the required federal financial report (FFR) and Performance Reports. However, at the time of the review, the reports had been successfully submitted. The Department is advised to submit all future performance and financial progress reports in a timely manner.	Provided Adequate Compliance Doc	Non-Violation	CIP	OIG/GA	2/6/23
Park County Sheriff's Department	1000966	MD13400	Programmatic Reporting - Other	Resolved	Administrative Issue	City of Mansfield ("The Department") award monitoring Enhanced Office Based Grant Review (EOGR) conducted on Thursday, April 28, 2022, for CIP Award #2020MMW0452. Based upon a review of the Budget and Actual Strength Staffing Chart, the Department experienced five (5) local vacancies in FY 2020, one (1) in FY 2021, and five (5) in FY 2022. Award funds have not been awarded to the Department. The Department is advised to submit all future performance and financial progress reports in a timely manner.	Other	NULL	CIP	OIG/GA	2/6/23
Mansfield Division of Police	1000901	CH07001	Supplanting - Guidance	Resolved	Administrative Issue	On Thursday, March 23, 2023, Management Analyst LaToya Pickett Bell conducted a site visit with the agency. Based upon a review of the Budgeted and Actual Strength Staffing Chart, it was identified that the Department experienced four (4) local vacancies in FY 2019, four (4) in FY 2020, two (2) in FY 2021, one (1) in FY 2022, and five (5) in FY 2023. At the time of the visit, the agency had not expended any award funds. However, they did indicate that they had other funding. During the visit, the Department was advised to submit all future performance and financial progress reports in a timely manner. The Department was also advised to submit all future performance and financial progress reports in a timely manner.	Other	NULL	CIP	OIG/GA	4/19/23
MI, Baine Police Department	1000901	MD01719	Supplanting - Guidance	Resolved	Administrative Issue	On Monday, March 27, 2023, Management Analyst LaToya Pickett Bell conducted a site visit with the agency. Based upon a review of the Budgeted and Actual Strength Staffing Chart, it was identified that the Department experienced four (4) local vacancies in FY 2019, four (4) in FY 2020, two (2) in FY 2021, one (1) in FY 2022, and five (5) in FY 2023. At the time of the visit, the agency had not expended any award funds. However, they did indicate that they had other funding. During the visit, the Department was advised to submit all future performance and financial progress reports in a timely manner. The Department was also advised to submit all future performance and financial progress reports in a timely manner.	Other	NULL	CIP	Site Visit	4/19/23
Marlborough Title	1000909	NM60110	Failure to Provide Documentation	Resolved	Compliance Issue	On Monday, March 27, 2023, Management Analyst LaToya Pickett Bell conducted a site visit with the agency. Based upon a review of the Budgeted and Actual Strength Staffing Chart, it was identified that the Department experienced four (4) local vacancies in FY 2019, four (4) in FY 2020, two (2) in FY 2021, one (1) in FY 2022, and five (5) in FY 2023. At the time of the visit, the agency had not expended any award funds. However, they did indicate that they had other funding. During the visit, the Department was advised to submit all future performance and financial progress reports in a timely manner. The Department was also advised to submit all future performance and financial progress reports in a timely manner.	Provided Adequate Compliance Doc	Violation	TRGP STATE	Site Visit	4/19/23
Marlborough Title	1000910	NM60110	Financial Reports Delinquent	Resolved	Compliance Issue	On Monday, March 27, 2023, Management Analyst LaToya Pickett Bell conducted a site visit with the agency. Based upon a review of the Budgeted and Actual Strength Staffing Chart, it was identified that the Department experienced four (4) local vacancies in FY 2019, four (4) in FY 2020, two (2) in FY 2021, one (1) in FY 2022, and five (5) in FY 2023. At the time of the visit, the agency had not expended any award funds. However, they did indicate that they had other funding. During the visit, the Department was advised to submit all future performance and financial progress reports in a timely manner. The Department was also advised to submit all future performance and financial progress reports in a timely manner.	Received Progress Reports	Violation	TRGP STATE	Site Visit	4/19/23
Shorepoint, City of	1000911	LD00901	Failure to Provide Documentation	Resolved	Administrative Issue	On Wednesday, March 22, 2023, Auditor Ernest Cook conducted an Enhanced Office Based Grant Review (EOGR) with the City of Shorepoint Police Department. At the time of the award application, the Department indicated its intent to hire a military veteran. The Department failed to provide copy of form DD-214 - Certificate of Release or Discharge from Active Duty for the veteran officer stated to have been hired under the award.	Received Missing Documentation	NULL	CIP	OIG/GA	4/20/23

SAN JUAN COUNTY, CITY & COUNTY OF	1000914	CA3162Z	Other	Resolved	Administrative Issue	On Tuesday, March 28, 2023, Auditor Imani Odeh conducted an inherent Office Based Grant Review (OBGR) with the City & County of San Francisco Police Department. At the time of the OBGR, the department had not started implementing the CIP award. Based upon a review of the Budgeted and Actual Strength Chart, an administrative issue for supporting reduction in force was identified. The award was suspended until the administrative issue was resolved. The award was reinstated on some hundred and fifty (150) in FY2022 and forty one (41) in FY2023. Based upon a review of the Budgeted and Actual Strength Chart, an administrative issue for supporting failure to fill local vacancies was identified. The Department experienced three hundred and two (302) local vacancies in FY2022, one hundred and forty five (145) vacancies in FY2023. The issue will be addressed in the feedback letter.	Other	Non-Validation	CIP	OBGR	4/20/23
San of Pleasant Police Department	1000915	MB03723	Programmatic Reporting - Delinquent	Resolved	Compliance Issue	On March 16, 2023, Management Analyst Liroya Pickett Bell conducted a site visit with the agency. At the time of the visit, the grant was not being reported. The Department's budget account was suspended. During the suspension, the Department is restricted from drawing down funds until the performance reports have been successfully submitted. As of the date of the feedback letter issuance, the Department successfully submitted the delinquent reports.	Received Progress Reports	Violation	CIP	Site Visit	4/24/23
Albuquerque	1000917	MM09101	Failure to Provide Documentation	Resolved	Compliance Issue	On March 28, 2023, Management Analyst Liroya Pickett Bell conducted a grant monitoring site visit with the Albuquerque Police Department ("the Department"). As explained in the notification package, the Department was not providing the required documentation for the grant. The Department's ledger/journal register from the accounting system for the officers assigned to the CIP award. Please note that it should further support each cost category as it appears in the awarded budget in the COM. The Department's accounting system, or copies of the personnel action forms for all of the officers assigned to the CIP award authorizing the hiring of the said officers. • A copy of the DD-214 for the military veteran hired and assigned to the CIP award (with no redaction).	Provided Adequate Compliance Doc	Non-Validation	CIP, FEMA	Site Visit	5/1/23
Breathwood, Town of	1000923	MD001703	Failure to Provide Documentation	Resolved	Compliance Issue	On Thursday, April 13, 2023, Management Analyst Liroya Pickett Bell and Auditor Imani Odeh conducted a grant monitoring site visit with the Breathwood Police Department ("the Department"). As of the day of the visit, the Department did not provide the following documentation: • A copy of the general ledger to account for the award expenditures incurred to include the federal share and local accounts system for the COPS award as well as a separate code for the local match distribution.	Provided Adequate Compliance Doc	Violation	CIP	Site Visit	5/4/23
Breathwood, Town of	1000919	MD001703	Financial Reporting - Delinquent	Resolved	Compliance Issue	On Thursday, April 13, 2023, Management Analyst Liroya Pickett Bell and Auditor Imani Odeh conducted a grant monitoring site visit with the Breathwood Police Department ("the Department"). At the time of the visit, the Department was not providing the required documentation for the grant. The Department's ledger/journal register for reporting periods July 30, 2022, October 31, 2022, and January 30, 2023.	Received FRS	Non-Validation	CIP	Site Visit	5/4/23
Breathwood, Town of	1000917	MD001703	Programmatic Reporting - Delinquent	Resolved	Compliance Issue	On Thursday, April 13, 2023, Management Analyst Liroya Pickett Bell and Auditor Imani Odeh conducted a grant monitoring site visit with the Breathwood Police Department ("the Department"). At the time of the visit, the Department was not providing the required documentation for the grant. The Department's ledger/journal register for reporting periods August 31, 2022, and March 2, 2023.	Received FRS	Non-Validation	CIP	Site Visit	5/4/23
Seymourville Police Department	1000918	MD02119	Failure to Provide Documentation	Resolved	Compliance Issue	On May 3, 2023, Auditor Imani Odeh conducted a site visit with the Department. At the time of the visit, the Department was not providing the required documentation for the grant. The Department's ledger/journal register for reporting periods August 31, 2022, and March 2, 2023.	Received FRS	Non-Validation	CIP	Site Visit	5/15/23
Shawnee Police Department	1000966	CI00115	Failure to Provide Documentation	Resolved	Compliance Issue	On Wednesday, June 14, 2023, Liroya Pickett Bell conducted a site visit with the agency. At the time of the visit, the Department was not providing the required documentation for the grant. The Department's ledger/journal register for reporting periods August 31, 2022, and March 2, 2023.	Provided Adequate Compliance Doc	Violation	CIP, CTO, MCA	Site Visit	7/1/23
Okemune Police Department	1000963	MB03403	Supplaining - Guidance	Resolved	Administrative Issue	Based upon a review of the Budgeted and Actual Strength Staffing Chart, the Department experienced two (2) reductions in force in FY2021. Although award funds have not yet been expended, the COPS Office reminded the Department of the nonexpanding requirement to ensure compliance with the grant award terms and conditions upon award implementation. No action required.	Other	Non-Validation	CIP	OBGR	7/20/23
Okemune Police Department	1000966	MB03403	Retention - Guidance	Resolved	Administrative Issue	Based upon a review of the Budgeted and Actual Strength Staffing Chart, the Department experienced two (2) reductions in force in FY2021. Although award funds have not yet been expended, the COPS Office reminded the Department of the nonexpanding requirement to ensure compliance with the grant award terms and conditions upon award implementation.	Other	Non-Validation	CIP	OBGR	7/20/23

Hartford, City of	I000975, CT00064	Resolved	Administrative Issue	<p>On 6/14/2023, the Department indicated its intent to hire one (1) military veteran under each award. Although the hiring of a military veteran as a new hire is not an award requirement, applicants who commit to hiring or rehiring at least one (1) military veteran receives additional consideration for CHP funding. As explained in the grant award applications, your Department is required to maintain documentation that it made every effort possible (consistent with your internal policies and procedures) to hire at least one (1) military veteran under each award. CHP Award #2023UM00008. As discussed during the bid visit, the Department explained that none of the hired COPS-funded officers were military veterans. As such, the Department was asked to provide supporting documentation demonstrating its hiring effort to hire a military veteran. Documentation samples includes interview schedules (with proof of the military status of the applicant(s)), job announcements, acknowledgments of veterans' preference, a job certification letter from a veteran who may have been deemed ineligible for hiring and/or a job decision letter from a veteran. To be deemed in compliance with the COPS Grant Administration Division (GAD) for approval. The Department is provided a response date of September 7, 2023, to submit the formal written request and all encompassing supporting documentation validating the efforts undertaken. Upon approval of the waiver request, the Department will be determined to be in full compliance. CHP Award #23COPS-23-GG-03465-SHPRX. As discussed during the bid visit, the Department explained that none of the hired COPS-funded officers were military veterans. As such, the Department was asked to provide supporting documentation demonstrating its hiring effort to hire a military veteran. Documentation samples includes interview schedules (with proof of the military status of the applicant(s)), job announcements, acknowledgments of veterans' preference, a job certification letter from a veteran who may have been deemed ineligible for hiring and/or a job decision letter from a veteran. However, at the time of the visit, the Department had not fully hired all of the COPS-funded officers. The Department was informed that if the Department is unable to hire a military veteran, it will need to submit a request for a waiver to GAD for approval to be in compliance with the grant award terms and conditions.</p>	Other	NULL	CHP	Site Visit	8/8/23
Hartford, City of	I000975, CT00064	Resolved	Administrative Issue	<p>On 6/14/2023, the Department indicated its intent to hire one (1) military veteran under each award. Although the hiring of a military veteran as a new hire is not an award requirement, applicants who commit to hiring or rehiring at least one (1) military veteran receives additional consideration for CHP funding. As explained in the grant award applications, your Department is required to maintain documentation that it made every effort possible (consistent with your internal policies and procedures) to hire at least one (1) military veteran under each award. CHP Award #2023UM00008. As discussed during the bid visit, the Department explained that none of the hired COPS-funded officers were military veterans. As such, the Department was asked to provide supporting documentation demonstrating its hiring effort to hire a military veteran. Documentation samples includes interview schedules (with proof of the military status of the applicant(s)), job announcements, acknowledgments of veterans' preference, a job certification letter from a veteran who may have been deemed ineligible for hiring and/or a job decision letter from a veteran. To be deemed in compliance with the COPS Grant Administration Division (GAD) for approval. The Department is provided a response date of September 7, 2023, to submit the formal written request and all encompassing supporting documentation validating the efforts undertaken. Upon approval of the waiver request, the Department will be determined to be in full compliance. CHP Award #23COPS-23-GG-03465-SHPRX. As discussed during the bid visit, the Department explained that none of the hired COPS-funded officers were military veterans. As such, the Department was asked to provide supporting documentation demonstrating its hiring effort to hire a military veteran. Documentation samples includes interview schedules (with proof of the military status of the applicant(s)), job announcements, acknowledgments of veterans' preference, a job certification letter from a veteran who may have been deemed ineligible for hiring and/or a job decision letter from a veteran. However, at the time of the visit, the Department had not fully hired all of the COPS-funded officers. The Department was informed that if the Department is unable to hire a military veteran, it will need to submit a request for a waiver to GAD for approval to be in compliance with the grant award terms and conditions.</p>	Grant Modification	NULL	CHP	Site Visit	8/8/23

Sheriff, City of	1000276 CT0064	Resolved	Administrative Issue	Other	Resolved	CIP	None	Revised Missing Documentation	None	Site Visit	8/31/23
Apache Junction Police Department	1000994 A703113	Resolved	Compliance Issue	Failure to Provide Documentation	Resolved	CIP	Violation	Provided Adequate Compliance Doc	None	Site Visit	8/31/23
Willbrook Police Department	1001017 BL02230	Resolved	Compliance Issue	Failure to Provide Documentation	Resolved	CIP	Non-Violation	Provided Adequate Compliance Doc	None	ECBGR	1/26/24
Spokane Department of Public Safety	1001019 SC04201	Resolved	Compliance Issue	Failure to Provide Documentation	Resolved	CIP, SPP	Non-Violation	Provided Adequate Compliance Doc	None	ECBGR	2/29/24
Lugerville, City of	1001015 BL001715	Resolved	Compliance Issue	Failure to Provide Documentation	Resolved	CPS, EMRWA	Non-Violation	Provided Adequate Compliance Doc	None	Site Visit	4/15/24



April 10, 2024

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New York, NY
Mike Yestranski
Ogden, WI

The Honorable Richard Durbin
Chair, Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Durbin:

On behalf of the 1.4 million members of the American Federation of State County and Municipal Employees (AFSCME), including police officers we represent, I write concerning S. 1306, which reauthorizes the Community Oriented Policing Services (COPS) grant program.

Public safety officers are dedicated public employees who perform often dangerous jobs protecting our communities. AFSCME is proud to represent nearly 100,000 public safety personnel in over 40 states, including correctional officers, fire and EMS professionals, and police officers. AFSCME fights for better pay and benefits, expanded bargaining rights, safer working conditions, and to uphold the standard of professionalism for those in these critical fields. AFSCME stands with the brave women and men in law enforcement.

The COPS grant program is a cornerstone of public safety that is vital to building positive relations and trust between our law enforcement officers and the communities they serve. AFSCME members work in the federal agency that manages the COPS grant program and in states and localities which rely on COPS grants to improve officer safety and wellness, fund the hiring of additional officers and improve officer training and local policing strategies.

State and local law enforcement agencies need increased access to funds, not less. We strongly support the reauthorization of the COPS program at the highest funding level, and we ask that you stand with law enforcement officers who risk their lives every day to protect the communities they serve.

Sincerely,

Edwin S. Jayne
Director of Federal Government Affairs

ESJ:CF:lm

cc: The Honorable Amy Klobuchar, United States Senate

American Federation of State, County and Municipal Employees, AFL-CIO

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April 9, 2024

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The Honorable Richard Durbin
 Chair
 Committee on the Judiciary
 United States Senate
 Washington, D.C. 20510

The Honorable Lindsey Graham
 Ranking Member
 Committee on the Judiciary
 United States Senate
 Washington, D.C. 20510

Dear Chairman Durbin and Ranking Member Graham,

I am writing on behalf of the National Association of Police Organizations (NAPO) and the over 241,000 sworn law enforcement officers we represent across the country. As the Committee conducts an oversight hearing on the U.S. Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS), I want to advise you of our unwavering support for the program and its importance to our nation's law enforcement community.

Serving as the lead national law enforcement organization, NAPO worked tirelessly with members of Congress and the Administration to enact the COPS Program in 1994. Since its inception, the COPS Program has been extremely successful in implementing and carrying out its designated objectives.

The COPS Office has assisted over 13,000 law enforcement agencies with over \$20 billion in funding to hire more than 136,000 community police officers across the United States. Funding through its various grant programs has contributed to continued achievements in improving law enforcement and community relations; combating crime, drugs, and gangs in our communities; and addressing emerging law enforcement needs, including officer mental health and wellness. A big part of the success of this program is its reliance on local law enforcement agencies in defining what their communities need and meeting those needs.

In recent years, Congress has passed legislation to enhance the ability of the COPS Office to support state and local law enforcement. Many of these measures were sponsored by Members of the Committee, such as the Law Enforcement Mental Health and Wellness Act and the Supporting and Treating Officers in Crisis Act, the Rafael Ramos and Wenjian Liu National Blue Alert Act, expanded access to active shooter training through the POLICE Act, and activities authorized by the Law Enforcement De-Escalation Training Act. These programs are vital to state and local law enforcement's ability to serve and protect our communities efficiently and effectively.

Further, the COPS Office, together with the Bureau of Justice Assistance (BJA) and the National Institute of Justice (NIJ), organizes and runs the National Officer Safety and

Wellness (OSW) Group. The OSW Group is a long-standing gathering comprised of federal, state, and local law enforcement associations that aims to better understand and respond to the range of issues associated with improving officer safety and wellness.

Law Enforcement agencies across the country serving urban, rural, big, and small communities are struggling to enlist qualified candidates to help alleviate staffing shortages. A 2019 survey from the International Association of Chiefs of Police on the recruitment and retention of law enforcement officers shows 78% of agencies are having difficulty recruiting qualified candidates, 65% are having too few candidates applying, and 75% are stating that recruiting is more difficult today than it was five years ago. 25% of responding agencies have eliminated agency services, units, and positions because of staffing difficulties. These issues have only been exacerbated since 2019.

Law enforcement officials and the public recognize the benefits of putting more police on the street, which is why COPS Office initiatives to put and maintain more officers in the field to promote community policing, fight crime, and improve officer safety and wellness should be continued and supported.

NAPO has long prioritized fully funding the COPS Program and maintaining the program's original intent – helping states and localities hire and retain community police officers to ensure they can protect and serve America's communities.

We look forward to working with the Committee to support our nation's state, local, and Tribal law enforcement through the COPS Office's vital grant programs.

Sincerely,



William J. Johnson
Executive Director



NATIONAL FRATERNAL ORDER OF POLICE

PATRICK YOES NATIONAL PRESIDENT

JIM PASCO EXECUTIVE DIRECTOR

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9 April 2024

The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Lindsey O. Graham
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman and Senator Graham,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our strong support of the Office of Community Oriented Policing Services (COPS) and its Director, Hugh T. Clements, Jr.

For three decades now, the cornerstone of our national policing strategy has been community-oriented policing. The work of the COPS Office is vital to State and local law enforcement agencies and, by extension, to the safety of our communities. The COPS Office administers a program that assists local and State law enforcement agencies by providing funding for the hiring of new officers—which is critically important to our profession which is struggling with a recruitment and retention crisis.

The hiring program is just one of the many valuable programs and resources provided to local and State law enforcement. Others include the Law Enforcement Mental Health and Wellness Act, the Supporting and Treating Officers in Crisis Act, the National Blue Alert Network, expanded access to active shooter training, free training for State and local agencies through the Collaborative Reform Initiative Technical Assistance Center (CRI-TAC), as well as activities authorized by the Law Enforcement De-Escalation Training Act, which was signed into law at the end of the 117th Congress. The communities we protect and the agencies that serve them benefit directly from the work of the COPS Office.

Given the importance of these programs, we further urge this Committee to consider and favorably report S. 1306, the "COPS Reauthorization Act," as introduced and without amendment. The legislation has been on the Committee's agenda for several weeks and we believe it is time to put the bill to a vote.

On behalf of the more than 373,000 members of the Fraternal Order of Police, I urge the Members of the Committee to favorably report this legislation. If I can provide any additional information in support of this legislation, please do not hesitate to contact me or Executive Director Jim Pasco in our Washington, D.C. office.

Sincerely,

Patrick Yoes
National President

cc: Chris Southwood, President, Illinois State Lodge
Rocky Nowaczyk, National Trustee, Illinois State Lodge
John Blackmon, President, South Carolina State Lodge
Terry Gainey, National Trustee, South Carolina State Lodge

Statement of David Rausch to the United States Senate Judiciary Committee
Hearing on the COPS Program Reauthorization Act

Chairman Durbin, Ranking Member Graham, and esteemed Members of the Committee,

Thank you for providing me the opportunity to share my thoughts and insights on the proposed bill to reauthorize the COPS program.

I am David Rausch and I humbly serve as the Director of the Tennessee Bureau of Investigation. I want to share a bit of my background to provide an understanding of my perspective on today's hearing. I have served in the policing profession for over 35 years. I started in the United States Army Military Police Corps from 1986 to 1990. I began my civilian policing career in 1993 in Knoxville, Tennessee. I served the Knoxville Police Department for 25 years, the last 7 as Chief of Police. I have been in my current position since 2018. I have served on numerous community non-profit boards for vulnerable populations over the years and currently serve the policing profession on a few association boards. I am a board member for the Association of State Criminal Investigative Agencies (ASCIA) representing the State of Tennessee. I am currently the Vice Chair for the Executive Board of the Appalachia High Intensity Drug Trafficking Areas (AHIDTA) and am the longest serving member of that board of over 12 years. And I am the 2nd Vice President for the International Association of Chiefs of Police (IACP).

As Chief of Police in Knoxville from 2011 to 2018, we were fortunate to be recipients of COPS office funding. That funding was critical for our midsize policing agency to provide key services to our community. I was fortunate to have a skilled grants manager who was able to help us meet the requirements to obtain these vital funds. We had to eventually hire an additional staff member for that office to meet the challenging demands of the grants tracking and reporting. As a midsize agency these funds allowed us to provide needed services to our community that we would never have been able to implement. Our community and our officers were safer because of what we were able to accomplish with that funding.

As Director of the TBI, we have also been fortunate to be recipients of COPS office funding. Two major programs are the Anti-Methamphetamine Program (CAMP) Grant and the Anti-Heroin Task Force (AHTF) Grant. At TBI we manage the Tennessee Dangerous Drugs Task Force for the state. The funding from these two programs are critical for the safety of all Tennesseans. The money is used to fund and manage our multi-faceted approach to address these major issues in our state. From education and prevention programs, to collecting critical data for health and safety, to equipment, training, and overtime reimbursements. The funds support all of our local and state policing agencies, local schools, as well as community anti-drug coalitions and community health and mental health efforts. I have one grants manager who is supported by the mighty team of 4 Administrative Professionals at the Dangerous Drugs Task Force.

I understand that a proposal for increased oversight and accountability is well intentioned, however, such additional administrative prerequisites brings great concern over the impact that it would have on the ability for my agency and all policing agencies to work with the COPS

Office to promote public safety. I am concerned that the added requirements and bureaucracy will remove our ability to provide the needed and necessary services to all agencies in my state. My team would not be able to continue our great work with such additional administrative burdens. I suspect the same would be true for my peers in many midsize and smaller departments.

The COPS Office is the one funding arm of the Federal Government that works with and for all size police agencies in the country. Additional administrative prerequisites, including more certifications and reporting mandates, would severely impact small and midsize policing agencies. A great deal of work has been done by various groups to create collaborative agreement on minimizing barriers and bureaucratic processes that makes it difficult to impossible for agencies to apply, receive and manage COPS office grants. One of the organizations that has led this effort as a strong supporter and partner with the COPS Office is the IACP.

As a leader in IACP, I represent all sizes of police departments throughout this country, and we believe the addition of more administrative burdens, on top of what already exist, would undermine our previous efforts to assure that the funding is available for all agencies, especially those showing the most need. We believe that this would negatively impact the profession as a whole. We have great trust in COPS Office Director Hugh Clements and his team. We know that they are doing their due diligence to assure that the recipient agencies are in compliance with appropriate standards and requirements of model organizations for policing in the 21st Century. We do not believe that there needs to be additional requirements, oversight, nor auditing included in the reauthorization of the COPS Office funding.

It is my opinion that the system in this case is not broken and not in need of adjustment. I would ask that you send the current reauthorization bill forward without amendment. I am authorized to say that this is also the request and position of the IACP.

Thank you for your time and consideration.