

113TH CONGRESS
1ST SESSION

S. 148

To safeguard America's schools by using community policing strategies to prevent school violence and improve student and school safety.

IN THE SENATE OF THE UNITED STATES

JANUARY 24 (legislative day, JANUARY 3), 2013

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To safeguard America's schools by using community policing strategies to prevent school violence and improve student and school safety.

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

3 **SECTION 1. SCHOOL RESOURCE AND SAFETY OFFICER**
4 **GRANT PROGRAM.**

5 Part AA of title I of the Omnibus Crime Control and
6 Safe Streets Act of 1968 (42 U.S.C. 3797a et seq.) is
7 amended—

8 (1) by striking the heading and inserting
9 **“SCHOOL SECURITY GRANTS”**;

1 (2) by inserting before section 2701 the fol-
 2 lowing:

3 **“Subpart 1—Matching Grant Program for School**
 4 **Security”;**

5 (3) in sections 2701 through 2705, by striking
 6 “part” each place that term appears and inserting
 7 “subpart”; and

8 (4) by adding at the end the following:

9 **“Subpart 2—School Resource and Safety Officer**
 10 **Grant Program**

11 **“SEC. 2711. DEFINITIONS.**

12 “In this subpart—

13 “(1) the term ‘career law enforcement officer’
 14 has the meaning given the term in section 1709;

15 “(2) the term ‘Director’ means the Director of
 16 the Office of Community Oriented Policing Services;

17 “(3) the term ‘Indian tribe’ has the meaning
 18 given the term in section 4(e) of the Indian Self-De-
 19 termination and Education Assistance Act (25
 20 U.S.C. 450b(e));

21 “(4) the term ‘school’ means a public elemen-
 22 tary or secondary school;

23 “(5) the term ‘school resource and safety offi-
 24 cer’ means a career law enforcement officer, with
 25 sworn authority, deployed in community oriented po-

1 licing, and assigned by the employing police depart-
 2 ment or agency to protect schools, who works in and
 3 around schools for not less than 75 percent of the
 4 time that the officer is on duty (measured weekly,
 5 monthly, or annually); and

6 “(6) the term ‘unit of local government’ means
 7 a county, municipality, town, township, village, par-
 8 ish, borough, or other unit of general government
 9 below the State level.

10 **“SEC. 2712. PROGRAM AUTHORIZED.**

11 “(a) IN GENERAL.—The Director is authorized to
 12 make grants to units of local government and Indian
 13 tribes to provide for school resource and safety officers
 14 at schools.

15 “(b) USES OF FUNDS.—Grants awarded under this
 16 section shall be—

17 “(1) distributed directly to a unit of local gov-
 18 ernment or Indian tribe; and

19 “(2) used to improve security at schools and on
 20 school grounds in the jurisdiction of the recipient by
 21 hiring and training career law enforcement officers
 22 for deployment in schools as school resource and
 23 safety officers.

24 “(c) MAXIMUM AMOUNT PER OFFICER OR TRAINING
 25 PROGRAM.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), the amount of a grant may not exceed
3 \$200,000 for each—

4 “(A) school resource and safety officer pro-
5 posed to be hired; or

6 “(B) training program proposed to be
7 funded.

8 “(2) WAIVER.—The Director may issue a waiv-
9 er of the requirement under paragraph (1) for a re-
10 cipient of a grant under this subpart.

11 “(d) DURATION.—

12 “(1) IN GENERAL.—The Director may make
13 available funds under a grant under this subpart
14 during a period of not more than 3 fiscal years.

15 “(2) RENEWAL.—Notwithstanding paragraph
16 (1), the Director may continue to make available ad-
17 ditional funds to a recipient after all funds under
18 the original grant have been made available if the
19 Director determines that—

20 “(A) the funds made available to the re-
21 cipient were used in a manner required under
22 an approved application; and

23 “(B) the recipient demonstrates significant
24 financial need.

25 “(e) LIMITATION ON USE OF FUNDS.—

1 “(1) NONSUPPLANTING.—Funds made available
 2 under this subpart to a unit of local government
 3 shall not be used to supplant funds of the unit of
 4 local government, or, in the case of an Indian tribe,
 5 funds supplied by the Bureau of Indian Affairs, and
 6 shall be used to increase the amount of funds that
 7 would, in the absence of Federal funds received
 8 under this subpart, be made available from the unit
 9 of local government, or in the case of an Indian
 10 tribe, from funds supplied by the Bureau of Indian
 11 Affairs.

12 “(2) ADMINISTRATIVE COSTS.—The Director
 13 may reserve not more than 2 percent from amounts
 14 appropriated to carry out this subpart for adminis-
 15 trative costs.

16 “(f) TRAINING.—

17 “(1) ESTABLISHMENT OF GUIDELINES.—The
 18 Director shall establish guidelines for programs that
 19 train school resource and safety officers.

20 “(2) SPECIFIC REQUIREMENTS.—In estab-
 21 lishing guidelines under paragraph (1), the Director
 22 shall ensure that the guidelines address how to—

23 “(A) distinguish between—

24 “(i) minor disciplinary infractions bet-
 25 ter dealt with by school officials; and

1 “(ii) major security problems that re-
2 quire law enforcement involvement; and

3 “(B) utilize alternatives to law enforce-
4 ment involvement in school disciplinary meas-
5 ures.

6 “(g) EQUITABLE DISTRIBUTION.—In awarding
7 grants under this subpart, the Director shall ensure, to
8 the extent practicable, an equitable geographic distribu-
9 tion among the regions of the United States and among
10 urban, suburban, and rural areas.

11 **“SEC. 2713. APPLICATIONS.**

12 “(a) IN GENERAL.—To request a grant under this
13 subpart, the chief executive of a unit of local government
14 or Indian tribe shall submit an application to the Director
15 at such time, in such manner, and accompanied by such
16 information as the Director may require.

17 “(b) CONTENTS OF APPLICATIONS.—Each applica-
18 tion under this section shall—

19 “(1) include a detailed explanation of—

20 “(A) the intended uses of funds made
21 available under a grant; and

22 “(B) how the activities funded under a
23 grant will prevent school violence and improve
24 student and school safety;

1 “(2) describe the ability of the applicant to pre-
 2 vent school violence and improve student and school
 3 safety without Federal assistance; and

4 “(3) include a memorandum of understanding
 5 between the law enforcement agency supplying the
 6 school resource and safety officer and the grant re-
 7 cipient that describes the disciplinary actions that
 8 are the exclusive responsibilities of school staff and
 9 faculty.

10 “(c) GUIDELINES.—Not later than 90 days after the
 11 date of enactment of this subpart, the Director shall pro-
 12 mulgate guidelines to implement this section.

13 **“SEC. 2714. REPORTS.**

14 “(a) DIRECTOR REPORT.—Not later than November
 15 30 of each year, the Director shall submit to Congress
 16 a report relating to the activities carried out under this
 17 subpart that includes, for the preceding fiscal year—

18 “(1) the number of grants funded under this
 19 subpart;

20 “(2) the amount of funds made available under
 21 the grants described in paragraph (1); and

22 “(3) the number of school resource and safety
 23 officers that the funds described in paragraph (2)
 24 supported.

1 “(b) GRANT RECIPIENT REPORT.—For each year
2 during which a recipient receives funds under this subpart,
3 the recipient shall, at a date determined by the Director,
4 submit to the Director a report relating to the activities
5 carried out by the recipient that includes information, as
6 determined by the Director, relating to the use of funds.

7 **“SEC. 2715. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
9 this subpart such sums as are necessary for each of fiscal
10 years 2014 through 2023.”.

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