

114TH CONGRESS
1ST SESSION

H. R. 3544

To help keep law enforcement officers and communities safer by making grants to purchase body worn cameras for use by State, local, and tribal law enforcement officers.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2015

Ms. HAHN (for herself, Mr. FOSTER, and Ms. ESTY) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To help keep law enforcement officers and communities safer by making grants to purchase body worn cameras for use by State, local, and tribal law enforcement officers.

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. SHORT TITLE.**

4 This Act may be cited as the “Safer Officers and
5 Safer Citizens Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) While police body worn cameras are not a
2 panacea, they do contribute to keeping both law en-
3 forcement officers and citizens safer.

4 (2) Increasing the use of body worn cameras by
5 law enforcement officers has been shown by multiple
6 studies to significantly reduce the number of use of
7 force incidents and the number of citizen complaints.

8 (3) Increased accountability and transparency
9 in policing activities will benefit all our citizens, in-
10 cluding our law enforcement officers.

11 **SEC. 3. GRANT PROGRAM.**

12 Title I of the Omnibus Crime Control and Safe
13 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended
14 by adding at the end the following:

15 **“PART LL—GRANT PROGRAM FOR BODY WORN**
16 **CAMERAS FOR LAW ENFORCEMENT OFFICERS**
17 **“SEC. 3021. PROGRAM AUTHORIZED.**

18 “(a) IN GENERAL.—The Director of the Bureau of
19 Justice Assistance is authorized to make grants to States,
20 units of local government, and Indian tribes to purchase
21 body worn cameras for use by State, local, and tribal law
22 enforcement officers.

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

1 “(1) distributed directly to the State, unit of
2 local government, or Indian tribe; and

3 “(2) used for the purchase of—

4 “(A) body worn cameras for law enforce-
5 ment officers; and

6 “(B) necessary initial supportive techno-
7 logical infrastructure for body worn cameras for
8 law enforcement officers in the jurisdiction of
9 the grantee.

10 “(c) PREFERENTIAL CONSIDERATION.—In awarding
11 grants under this part, the Director of the Bureau of Jus-
12 tice Assistance shall give preferential consideration, if fea-
13 sible, to an application from a jurisdiction that—

14 “(1) has in place a comprehensive policy that
15 is—

16 “(A) developed in consultation with a
17 broad group of criminal justice experts and
18 community members, and that contains policies
19 and procedures addressing deployment, video
20 capture, privacy protections, viewing, use, re-
21 lease, storage, retention, the effect on commu-
22 nity-police interactions, and audits and controls;

23 “(B) supported by a comprehensive com-
24 munication and education campaign that in-
25 volves interested parties in law enforcement,

1 courts, prosecution, the defense bar, civic lead-
2 ership, labor organizations, victim and juvenile
3 advocacy, the media, and the public; and

4 “(C) informed by the best practices on
5 body worn cameras developed by the Depart-
6 ment of Justice;

7 “(2) has the greatest need for body worn cam-
8 eras based on the percentage of law enforcement of-
9 ficers in the department who do not have access to
10 a body worn camera;

11 “(3) has a violent crime rate at or above the
12 national average as determined by the Bureau of
13 Justice Statistics; and

14 “(4) commits to submitting such metrics on the
15 usage of body worn cameras, in such a format and
16 at such a time as the Department of Justice shall
17 reasonably specify, for the purposes of collecting and
18 studying data on the effectiveness of body worn cam-
19 eras to increase safety for both law enforcement offi-
20 cers and citizens.

21 “(d) MATCHING FUNDS.—The portion of the costs of
22 a program provided by a grant under subsection (a) may
23 not exceed 75 percent. Any funds appropriated by Con-
24 gress for the activities of any agency of an Indian tribal
25 government or the Bureau of Indian Affairs performing

1 law enforcement functions on any Indian lands may be
2 used to provide the non-Federal share of a matching re-
3 quirement funded under this subsection.

4 **“SEC. 3022. APPLICATIONS.**

5 “(a) IN GENERAL.—To request a grant under this
6 part, the chief executive of a State, unit of local govern-
7 ment, or Indian tribe shall submit an application to the
8 Director of the Bureau of Justice Assistance in such form
9 and containing such information as the Director may rea-
10 sonably require.

11 “(b) REGULATIONS.—Not later than 90 days after
12 the date of the enactment of this part, the Director of
13 the Bureau of Justice Assistance shall promulgate regula-
14 tions to implement this section, including the information
15 that must be included and the requirements that the
16 States, units of local government, and Indian tribes must
17 meet in submitting the applications required under this
18 section.

19 **“SEC. 3023. DEFINITIONS.**

20 “For purposes of this part—

21 “(1) the term ‘Indian tribe’ has the same mean-
22 ing as in section 4(e) of the Indian Self-Determina-
23 tion and Education Assistance Act (25 U.S.C.
24 450b(e));

1 “(2) the term ‘law enforcement officer’ means
2 any officer, agent, or employee of a State, unit of
3 local government, or Indian tribe authorized by law
4 or by a government agency to engage in or supervise
5 the prevention, detection, or investigation of any vio-
6 lation of criminal law, or authorized by law to super-
7 vise sentenced criminal offenders;

8 “(3) the term ‘State’ means each of the 50
9 States, the District of Columbia, the Commonwealth
10 of Puerto Rico, the United States Virgin Islands,
11 American Samoa, Guam, and the Northern Mariana
12 Islands; and

13 “(4) the term ‘unit of local government’ means
14 a county, municipality, town, township, village, par-
15 ish, borough, or other unit of general government
16 below the State level.

17 **“SEC. 3024. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) IN GENERAL.—There are authorized to be ap-
19 propriated to carry out this part, \$100,000,000 for each
20 of fiscal years 2016 through 2021.

21 “(b) REMAINING FUNDS.—Any amounts made avail-
22 able to carry out this part that are unobligated at the end
23 of each fiscal year, shall be returned to the general fund
24 of the Treasury for debt reduction.”.

1 **SEC. 4. OFFSET.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Office of Personnel Management allows
4 for administrative leave as an administratively au-
5 thorized absence from duty without loss of pay or
6 charge to leave, but recognizes that administrative
7 leave is not an entitlement, and agencies are not re-
8 quired to grant it.

9 (2) Administrative leave does not include an-
10 nual leave, maternity leave, sick leave, leave taken in
11 accordance with the Family and Medical Leave Act
12 of 1993 (29 U.S.C. 2611 et seq.), or military leave.

13 (3) A Government Accountability Office report
14 on Federal paid administrative leave detailed data
15 from the Office of Personnel Management that
16 showed that from fiscal year 2011 through fiscal
17 year 2013, about 97 percent of Federal employees
18 charged 20 days or less of paid administrative leave,
19 although some Federal employees charged between 1
20 and 3 years of paid administrative leave. Further,
21 Agency officials stated that the most common reason
22 for which selected employees charged amounts rel-
23 atively higher than the agency average was for per-
24 sonnel matters, such as investigations into alleged
25 misconduct.

26 (b) REQUIREMENT.—

1 (1) DEFINITIONS.—In this subsection—

2 (A) the term “administrative leave” means
3 leave without loss of or reduction in—

4 (i) pay;

5 (ii) leave to which an employee is oth-
6 erwise entitled; or

7 (iii) credit for time or service; and

8 (B) the term “agency” has the meaning
9 given the term “executive agency” under sec-
10 tion 105 of title 5, United States Code.

11 (2) REGULATIONS.—Not later than 90 days
12 after the date of enactment of this Act—

13 (A) the Office of Personnel Management
14 shall issue regulations limiting administrative
15 leave for an employee of any agency to not
16 more than 20 days per year, unless approved
17 individually by the head of the agency; and

18 (B) the Office of Management and Budget
19 shall ensure each agency adjusts the number of
20 employees (determined on a full-time equivalent
21 basis) authorized to be employed by the agency,
22 and each component of the agency, to reflect
23 lower personnel requirements due to increased
24 available work hours per employee.

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