

115TH CONGRESS  
2D SESSION

# S. 2590

To authorize previously appropriated resources for communities to address persistent or historical crime through collaborative cross-sector partnerships.

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IN THE SENATE OF THE UNITED STATES

MARCH 22, 2018

Mr. DONNELLY (for himself and Mr. GRAHAM) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To authorize previously appropriated resources for communities to address persistent or historical crime through collaborative cross-sector partnerships.

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 “Investing in Neighbor-  
5       hood-focused, Vital, Evidence-based Strategies and Trust  
6       to Prevent Crime Act of 2018” or the “INVEST to Pre-  
7       vent Crime Act”.

1 **SEC. 2. DEMONSTRATION GRANT PROGRAM.**

2 (a) IN GENERAL.—Title I of the Omnibus Crime  
3 Control and Safe Streets Act of 1968 (34 U.S.C. 10101  
4 et seq.) is amended by adding at the end the following:

5 **“PART NN—DEMONSTRATION GRANT PROGRAM**

6 **“SEC. 3041. DEFINITIONS.**

7 “In this part—

8 “(1) the term ‘crime hot spot’ means a defined  
9 geographic area within a focus neighborhood where,  
10 for not less than 1 year, the occurrence of crime is  
11 so frequent that it is highly predictable;

12 “(2) the term ‘eligible entity’ means a State,  
13 unit of local government, Indian tribe, tribal organi-  
14 zation, non-profit organization, or institution of  
15 higher education that is a member of a community  
16 consortium, which includes not less than 1 partner  
17 law enforcement agency, that is committed to work-  
18 ing with law enforcement agencies, community lead-  
19 ers, and research partners to develop an evidence-  
20 based or research-based, cross-sector strategy to re-  
21 vitalize a focus neighborhood facing significant crime  
22 challenges;

23 “(3) the term ‘evidence-based practice’ means a  
24 program, strategy, or procedure that has been dem-  
25 onstrated as effective by causal evidence, obtained  
26 through one or more outcome evaluations;

1           “(4) the term ‘focus neighborhood’ means a de-  
2       fined geographic area that is the focus of a project  
3       funded by a grant awarded under this part;

4           “(5) the terms ‘Indian tribe’ and ‘tribal organi-  
5       zation’ have the meanings given those terms in sec-  
6       tion 4 of the Indian Self-Determination and Edu-  
7       cation Assistance Act (25 U.S.C. 5304);

8           “(6) the term ‘institution of higher education’  
9       has the meaning given the term in section 102 of the  
10      Higher Education Act of 1965 (20 U.S.C. 1002);

11          “(7) the term ‘research-based practice’ means a  
12      program, strategy, or procedure that is selected and  
13      implemented based on documented effectiveness,  
14      with activities adapted based on data about local  
15      conditions, as appropriate;

16          “(8) the term ‘State’ means each of the 50  
17      States, the District of Columbia, the Commonwealth  
18      of Puerto Rico, the United States Virgin Islands,  
19      American Samoa, Guam, and the Northern Mariana  
20      Islands; and

21          “(9) the term ‘unit of local government’ means  
22      a county, municipality, city, town, township, village,  
23      parish, borough, or other unit of general government  
24      below the State level.

1 **“SEC. 3042. PROGRAM AUTHORIZED.**

2 “(a) IN GENERAL.—The Attorney General may—

3 “(1) make grants to eligible entities to prepare  
4 a comprehensive plan for and implement enhance-  
5 ment of the capacity of local and tribal communities  
6 to effectively target and address significant crime  
7 issues through collaborative cross-sector approaches;  
8 and

9 “(2) provide training and technical assistance  
10 to eligible entities that receive grants under this  
11 part.

12 “(b) PROJECT GOALS.—Projects funded under this  
13 section shall—

14 “(1) identify a focus neighborhood facing sig-  
15 nificant crime challenges;

16 “(2) use evidence-based practices or research-  
17 based practices;

18 “(3) encourage active involvement and leader-  
19 ship from neighborhood residents, business owners,  
20 organizations, and others who live, work, or conduct  
21 business in the focus neighborhood; and

22 “(4) build cross-sector partnerships to address  
23 crime problems from multiple perspectives.

24 “(c) APPLICATIONS.—

25 “(1) IN GENERAL.—To receive a planning grant  
26 or an implementation grant under this section, an

1 eligible entity shall submit an application to the At-  
2 torney General in such form and containing such in-  
3 formation as the Attorney General may reasonably  
4 require.

5 “(2) COMBINED APPLICATION.—The Attorney  
6 General may develop a procedure under which an eli-  
7 gible entity may apply at the same time and in a  
8 single application for a planning grant and an imple-  
9 mentation grant under this section, with receipt of  
10 the implementation grant conditioned on the suc-  
11 cessful completion of the activities funded by the  
12 planning grant.

13 “(3) RESEARCH PARTNER.—

14 “(A) IN GENERAL.—An applicant for a  
15 grant under this section shall identify a re-  
16 search partner, such as an institution of higher  
17 education, research center, or State or local  
18 agency, to—

19 “(i) conduct a detailed analysis of  
20 crime drivers during the planning period  
21 described in subsection (d)(1)(A); and

22 “(ii) assist the grant recipient to se-  
23 lect the most appropriate evidence-based  
24 practices or research-based practices to  
25 apply based on the research findings.

1           “(B) CONTINUED ASSISTANCE.—A re-  
 2           search partner described in subparagraph (A)  
 3           shall remain engaged throughout the duration  
 4           of the grant by continuing to provide and ana-  
 5           lyze data to help inform project implementation.

6           “(d) DURATION OF GRANTS.—

7           “(1) IN GENERAL.—Except as provided in para-  
 8           graph (2)—

9           “(A) a planning grant awarded under this  
 10          section shall be used by the recipient for a pe-  
 11          riod not to exceed 12 months; and

12          “(B) an implementation grant awarded  
 13          under this section shall be used by the recipient  
 14          for a period not to exceed 36 months.

15          “(2) EXTENSION OF PLANNING OR IMPLEMEN-  
 16          TATION.—Upon request of a grant recipient, the At-  
 17          torney General may allow the grant recipient to ex-  
 18          tend the planning period described in paragraph  
 19          (1)(A) or the implementation period described in  
 20          paragraph (1)(B) for a reasonable length of time, as  
 21          determined by the Attorney General.

22          “(3) LIMITATION ON ADDITIONAL FUNDS.—If  
 23          the Attorney General allows an extension under  
 24          paragraph (2), the Attorney General may not award  
 25          additional grant funds.

1       “(e) PLANNING GRANTS.—A grant awarded for the  
2 planning phase of a project may be used to—

3           “(1) identify, verify, and prioritize crime hot  
4 spots within the focus neighborhood;

5           “(2) build community partnerships and facili-  
6 tate leadership to ensure residents are active partici-  
7 pants in the strategy to address crime in the com-  
8 munity;

9           “(3) collaborate with local law enforcement  
10 agencies, research partners, and the community to  
11 analyze the drivers of crime and assess the needs of  
12 the community and the available resources to meet  
13 those needs; and

14           “(4) work with community consortium partners  
15 to develop a comprehensive cross-sector strategic  
16 plan to reduce crime in the focus neighborhood that  
17 is based on the findings made under paragraph (3).

18       “(f) IMPLEMENTATION GRANTS.—Funds awarded  
19 for the implementation phase of a project may be used  
20 to—

21           “(1) convene regular meetings of cross-sector  
22 partners and the project management team;

23           “(2) continue work with research partners to  
24 assess project implementation;

1           “(3) modify strategies developed during project  
2           planning as appropriate;

3           “(4) support personnel and program costs to  
4           implement strategies developed during project plan-  
5           ning;

6           “(5) pursue community engagement and leader-  
7           ship development; and

8           “(6) identify and develop a long-term sustain-  
9           able strategy to continue to achieve the project’s  
10          goals after the conclusion of the implementation pe-  
11          riod.

12   **“SEC. 3043. REPORT TO CONGRESS.**

13          “At the end of the first grant year, and each year  
14          thereafter, the Attorney General shall submit a report to  
15          the Committee on the Judiciary of the Senate and the  
16          Committee on the Judiciary of the House of Representa-  
17          tives that provides an overall assessment of the out-  
18          comes—

19               “(1) achieved by the demonstration projects  
20               funded under this part; and

21               “(2) achieved by any demonstration projects  
22               that—

23                       “(A) received funding under the Byrne  
24                       Criminal Justice Innovation program of the De-  
25                       partment of Justice or the Innovations in Com-

1 community Based Crime Reduction program of the  
2 Department of Justice during fiscal years 2013  
3 through 2018; and

4 “(B) were carried out during the grant  
5 year to which the report pertains.

6 **“SEC. 3044. GRANT ACCOUNTABILITY.**

7 “(a) ACCOUNTABILITY.—All grants awarded by the  
8 Attorney General under this part shall be subject to the  
9 following accountability provisions:

10 “(1) AUDIT REQUIREMENT.—

11 “(A) DEFINITION.—In this paragraph, the  
12 term ‘unresolved audit finding’ means a finding  
13 in the final audit report of the Inspector Gen-  
14 eral of the Department of Justice that the au-  
15 dited grantee has utilized grant funds for an  
16 unauthorized expenditure or otherwise unallow-  
17 able cost that is not closed or resolved within  
18 12 months from the date when the final audit  
19 report is issued.

20 “(B) AUDITS.—Beginning in the first fis-  
21 cal year beginning after the date of enactment  
22 of this subsection, and in each fiscal year there-  
23 after, the Inspector General of the Department  
24 of Justice shall conduct audits of recipients of  
25 grants under this part to prevent waste, fraud,

1 and abuse of funds by grantees. The Inspector  
2 General shall determine the appropriate number  
3 of grantees to be audited each year.

4 “(C) MANDATORY EXCLUSION.—A recipi-  
5 ent of grant funds under this part that is found  
6 to have an unresolved audit finding shall not be  
7 eligible to receive grant funds under this part  
8 during the first 2 fiscal years beginning after  
9 the end of the 12-month period described in  
10 subparagraph (A).

11 “(D) PRIORITY.—In awarding grants  
12 under this part, the Attorney General shall give  
13 priority to eligible applicants that did not have  
14 an unresolved audit finding during the 3 fiscal  
15 years before submitting an application for a  
16 grant under this part.

17 “(E) REIMBURSEMENT.—If an entity is  
18 awarded grant funds under this part during the  
19 2-fiscal-year period during which the entity is  
20 barred from receiving grants under subpara-  
21 graph (C), the Attorney General shall—

22 “(i) deposit an amount equal to the  
23 amount of the grant funds that were im-  
24 properly awarded to the grantee into the  
25 General Fund of the Treasury; and

1                   “(ii) seek to recoup the costs of the  
2                   repayment to the fund from the grant re-  
3                   cipient that was erroneously awarded grant  
4                   funds.

5                   “(2) NONPROFIT ORGANIZATION REQUIRE-  
6                   MENTS.—

7                   “(A) DEFINITION.—For purposes of this  
8                   paragraph and the grant programs under this  
9                   part, the term ‘nonprofit organization’ means  
10                  an organization that is described in section  
11                  501(c)(3) of the Internal Revenue Code of 1986  
12                  and is exempt from taxation under section  
13                  501(a) of such Code.

14                  “(B) PROHIBITION.—The Attorney Gen-  
15                  eral may not award a grant under this part to  
16                  a nonprofit organization that holds money in  
17                  offshore accounts for the purpose of avoiding  
18                  paying the tax described in section 511(a) of  
19                  the Internal Revenue Code of 1986.

20                  “(C) DISCLOSURE.—Each nonprofit orga-  
21                  nization that is awarded a grant under this part  
22                  and uses the procedures prescribed in regula-  
23                  tions to create a rebuttable presumption of rea-  
24                  sonableness for the compensation of its officers,  
25                  directors, trustees, and key employees, shall dis-

1 close to the Attorney General, in the application  
2 for the grant, the process for determining such  
3 compensation, including the independent per-  
4 sons involved in reviewing and approving such  
5 compensation, the comparability data used, and  
6 contemporaneous substantiation of the delibera-  
7 tion and decision. Upon request, the Attorney  
8 General shall make the information disclosed  
9 under this subparagraph available for public in-  
10 spection.

11 “(3) CONFERENCE EXPENDITURES.—

12 “(A) LIMITATION.—No amounts made  
13 available to the Department of Justice under  
14 this part may be used by the Attorney General,  
15 or by any individual or entity awarded discre-  
16 tionary funds through a cooperative agreement  
17 under this part, to host or support any expendi-  
18 ture for conferences that uses more than  
19 \$20,000 in funds made available by the Depart-  
20 ment of Justice, unless the head of the relevant  
21 agency or department, provides prior written  
22 authorization that the funds may be expended  
23 to host the conference.

24 “(B) WRITTEN APPROVAL.—Written ap-  
25 proval under subparagraph (A) shall include a

1 written estimate of all costs associated with the  
2 conference, including the cost of all food, bev-  
3 erages, audio-visual equipment, honoraria for  
4 speakers, and entertainment.

5 “(C) REPORT.—The Deputy Attorney Gen-  
6 eral shall submit an annual report to the Com-  
7 mittee on the Judiciary of the Senate and the  
8 Committee on the Judiciary of the House of  
9 Representatives on all conference expenditures  
10 approved under this paragraph.

11 “(4) ANNUAL CERTIFICATION.—Beginning in  
12 the first fiscal year beginning after the date of en-  
13 actment of this subsection, the Attorney General  
14 shall submit, to the Committee on the Judiciary and  
15 the Committee on Appropriations of the Senate and  
16 the Committee on the Judiciary and the Committee  
17 on Appropriations of the House of Representatives,  
18 an annual certification—

19 “(A) indicating whether—

20 “(i) all audits issued by the Office of  
21 the Inspector General under paragraph (1)  
22 have been completed and reviewed by the  
23 appropriate Assistant Attorney General or  
24 Director;

1 “(ii) all mandatory exclusions required  
2 under paragraph (1)(C) have been issued;  
3 and

4 “(iii) all reimbursements required  
5 under paragraph (1)(E) have been made;  
6 and

7 “(B) that includes a list of any grant re-  
8 cipients excluded under paragraph (1) from the  
9 previous year.

10 “(b) PREVENTING DUPLICATIVE GRANTS.—

11 “(1) IN GENERAL.—Before the Attorney Gen-  
12 eral awards a grant to an applicant under this part,  
13 the Attorney General shall compare potential grant  
14 awards with other grants awarded under this part to  
15 determine if duplicate grant awards are awarded for  
16 the same purpose.

17 “(2) REPORT.—If the Attorney General awards  
18 duplicate grants to the same applicant for the same  
19 purpose the Attorney General shall submit to the  
20 Committee on the Judiciary of the Senate and the  
21 Committee on the Judiciary of the House of Rep-  
22 resentatives a report that includes—

23 “(A) a list of all duplicate grants awarded,  
24 including the total dollar amount of any dupli-  
25 cate grants awarded; and

1                   “(B) the reason the Attorney General  
2                   awarded the duplicate grants.”.

3           (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
4 1001(a) of title I of the Omnibus Crime Control and Safe  
5 Streets Act of 1968 (34 U.S.C. 10261(a)) is amended by  
6 adding at the end the following:

7           “(28) For activities under part NN, there are author-  
8 ized to be appropriated \$20,000,000 for each of fiscal  
9 years 2019 through 2023.”.

10          (c) SENSE OF CONGRESS.—It is the sense of Con-  
11 gress that amounts appropriated to carry out part NN of  
12 title I of the Omnibus Crime Control and Safe Streets Act  
13 of 1968, as added by subsection (a), may not be offset  
14 by a decrease in the amounts appropriated for—

15               (1) the Edward Byrne Memorial Justice Assist-  
16 ance Grant program under subpart 1 of part E of  
17 title I of the Omnibus Crime Control and Safe  
18 Streets Act of 1968 (34 U.S.C. 10151 et seq.); or

19               (2) the Cops on the Beat grant program under  
20 part Q of title I of the Omnibus Crime Control and  
21 Safe Streets Act of 1968 (34 U.S.C. 10381 et seq.).

○