

§ 10158. Interest-bearing trust funds**(a) Trust fund required**

A State or unit of local government shall establish a trust fund in which to deposit amounts received under this part.

(b) Expenditures**(1) In general**

Each amount received under this part (including interest on such amount) shall be expended before the date on which the grant period expires.

(2) Repayment

A State or unit of local government that fails to expend an entire amount (including interest on such amount) as required by paragraph (1) shall repay the unexpended portion to the Attorney General not later than 3 months after the date on which the grant period expires.

(3) Reduction of future amounts

If a State or unit of local government fails to comply with paragraphs (1) and (2), the Attorney General shall reduce amounts to be provided to that State or unit of local government accordingly.

(c) Repaid amounts

Amounts received as repayments under this section shall be subject to section 10108 of this title as if such amounts had not been granted and repaid. Such amounts shall be deposited in the Treasury in a dedicated fund for use by the Attorney General to carry out this part. Such funds are hereby made available to carry out this part.

(Pub. L. 90-351, title I, §507, as added Pub. L. 109-162, title XI, §1111(a)(2)(C), Jan. 5, 2006, 119 Stat. 3100.)

Editorial Notes**CODIFICATION**

Section was formerly classified to section 3757 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 507 of title I of Pub. L. 90-351, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4335, related to designation and purposes of a State office, prior to repeal by Pub. L. 109-162, title XI, §1111(a)(1), (d), Jan. 5, 2006, 119 Stat. 3094, 3102, applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter.

Another prior section 507 of Pub. L. 90-351, title I, June 19, 1968, 82 Stat. 205; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 211; Pub. L. 94-503, title I, §§119(b), 121, Oct. 15, 1976, 90 Stat. 2417, 2418, related to officers, employees, and hearing examiners, prior to the general amendment of title I of Pub. L. 90-351 by Pub. L. 96-157.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE**

Section applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter, see section 1111(d) of Pub. L. 109-162, set out as an Effective Date of 2006 Amendment note under section 10151 of this title.

§ 10159. Law enforcement training programs**(a) Definition**

In this section, the term “certified training program or course” means a program or course using 1 or more of the training curricula developed or identified under section 10381(n)(1)¹ of this title, or equivalents to such training curricula—

(1) that is provided by the Attorney General under section 10381(n)(3)¹ of this title; or

(2) that is—

(A) provided by a public or private entity, including the personnel of a law enforcement agency or law enforcement training academy of a State or unit of local government who have been trained to offer training programs or courses under section 10381(n)(3)¹ of this title; and

(B) certified by the Attorney General under section 10381(n)(2)¹ of this title.

(b) Authority**(1) In general**

Not later than 90 days after the Attorney General completes the activities required by paragraphs (1) and (2) of section 10381(n)¹ of this title, the Attorney General shall, from amounts made available to fund training programs pursuant to subsection (h), make grants to States for use by the State or a unit of government located in the State to—

(A) pay for—

(i) costs associated with conducting a certified training program or course or, subject to paragraph (2), a certified training program or course that provides continuing education; and

(ii) attendance by law enforcement officers or covered mental health professionals at a certified training program or course, including a course provided by a law enforcement training academy of a State or unit of local government;

(B) procure a certified training program or course or, subject to paragraph (2), a certified training program or course that provides continuing education on 1 or more of the topics described in section 10381(n)(1)(A)¹ of this title;

(C) in the case of a law enforcement agency of a unit of local government that employs fewer than 50 employees (determined on a full-time equivalent basis), pay for the costs of overtime accrued as a result of the attendance of a law enforcement officer or covered mental health professional at a certified training program or course for which the costs associated with conducting the certified training program or course are paid using amounts provided under this section;

(D) pay for the costs of developing mechanisms to comply with the reporting requirements established under subsection (d), in an amount not to exceed 5 percent of the total amount of the grant award; and

(E) pay for the costs associated with participation in the voluntary National Use-of-Force Data Collection of the Federal Bureau

¹ See References in Text note below.

of Investigation, in an amount not to exceed 5 percent of the total amount of the grant award, if a law enforcement agency of the State or unit of local government is not already reporting to the National Use-of-Force Data Collection.

(2) Requirements for use for continuing education

(A) Definition

In this paragraph, the term “covered topic” means a topic covered under the curricula developed or identified under clause (i), (ii), or (iv) of section 10381(n)(1)(A)¹ of this title.

(B) Requirement to provide initial training

A State or unit of local government shall ensure that all officers who have been employed with the State or unit of local government for at least 2 years have received training as part of a certified training program or course on all covered topics before the State or unit of local government uses amounts received under a grant under paragraph (1) for continuing education with respect to any covered topic.

(C) Start date of availability of funding

(i) In general

Subject to clause (ii), a State or unit of local government may not use amounts received under a grant under paragraph (1) for continuing education with respect to a covered topic until the date that is 2 years after December 27, 2022.

(ii) Exception

A State or unit of local government may use amounts received under a grant under paragraph (1) for continuing education with respect to a covered topic during the 2-year period beginning on December 27, 2022, if the State or unit of local government has complied with subparagraph (B) using amounts available to the State or unit of local government other than amounts received under a grant under paragraph (1).

(3) Maintaining relationships with local mental health organizations

A State or unit of local government that receives funds under this section shall establish and maintain relationships between law enforcement officers and local mental health organizations and health care services.

(c) Allocation of funds

(1) In general

Of the total amount appropriated to carry out this section for a fiscal year, the Attorney General shall allocate funds to each State in proportion to the total number of law enforcement officers in the State that are employed by the State or a unit of local government within the State, as compared to the total number of law enforcement officers in the United States.

(2) Retention of funds for training for State law enforcement officers proportional to number of State officers

Each fiscal year, each State may retain, for use for the purposes described in this section,

from the total amount of funds provided to the State under paragraph (1) an amount that is not more than the amount that bears the same ratio to such total amount as the ratio of—

(A) the total number of law enforcement officers employed by the State; to

(B) the total number of law enforcement officers in the State that are employed by the State or a unit of local government within the State.

(3) Provision of funds for training for local law enforcement officers

(A) In general

A State shall make available to units of local government in the State for the purposes described in this section the amounts remaining after a State retains funds under paragraph (2).

(B) Additional uses

A State may, with the approval of a unit of local government, use the funds allocated to the unit of local government under subparagraph (A)—

(i) to facilitate offering a certified training program or course or, subject to subsection (b)(2), a certified training program or course that provide² continuing education in 1 or more of the topics described in section 10381(n)(1)(A)¹ of this title to law enforcement officers employed by the unit of local government; or

(ii) for the costs of training local law enforcement officers, including through law enforcement training academies of States and units of local government, to conduct a certified training program or course.

(C) Consultation

The Attorney General, in consultation with relevant law enforcement agencies of States and units of local government, associations that represent individuals with mental or behavioral health diagnoses or individuals with disabilities, labor organizations, professional law enforcement organizations, local law enforcement labor and representative organizations, law enforcement trade associations, mental health and suicide prevention organizations, family advocacy organizations, and civil rights and civil liberties groups, shall develop criteria governing the allocation of funds to units of local government under this paragraph, which shall ensure that the funds are distributed as widely as practicable in terms of geographical location and to both large and small law enforcement agencies of units of local government.

(D) Announcement of allocations

Not later than 30 days after the date on which a State receives an award under paragraph (1), the State shall announce the allocations of funds to units of local government under subparagraph (A). A State shall submit to the Attorney General a report explaining any delays in the announcement of allocations under this subparagraph.

²So in original. Probably should be “provides”.

(d) Reporting**(1) Units of local government**

Any unit of local government that receives funds from a State under subsection (c)(3) for a certified training program or course shall submit to the State or the Attorney General an annual report with respect to the first fiscal year during which the unit of local government receives such funds and each of the 2 fiscal years thereafter that—

(A) shall include the number of law enforcement officers employed by the unit of local government that have completed a certified training program or course, including a certified training program or course provided on or before the date on which the Attorney General begins certifying training programs and courses under section 10381(n)(2)¹ of this title, the topics covered in those courses, and the number of officers who received training in each topic;

(B) may, at the election of the unit of local government, include the number of law enforcement officers employed by the unit of local government that have completed a certified training program or course using funds provided from a source other than the grants described under subsection (b), the topics covered in those courses, and the number of officers who received training in each topic;

(C) shall include the total number of law enforcement officers employed by the unit of local government;

(D) shall include a description of any barriers to providing training on the topics described in section 10381(n)(1)(A)¹ of this title;

(E) shall include information gathered through—

(i) pre-training and post-training tests that assess relevant knowledge and skills covered in the training curricula, as specified in section 10381(n)(1)¹ of this title; and

(ii) follow-up evaluative assessments to determine the degree to which participants in the training apply, in their jobs, the knowledge and skills gained in the training; and

(F) shall include the amount of funds received by the unit of local government under subsection (c)(3) and a tentative plan for training all law enforcement officers employed by the unit of local government using available and anticipated funds.

(2) States

A State receiving funds under this section shall submit to the Attorney General—

(A) any report the State receives from a unit of local government under paragraph (1); and

(B) if the State retains funds under subsection (c)(2) for a fiscal year, a report by the State for that fiscal year, and each of the 2 fiscal years thereafter—

(i) indicating the number of law enforcement officers employed by the State that have completed a certified training program or course, including a certified training program or course provided on or be-

fore the date on which the Attorney General begins certifying training programs or courses under section 10381(n)(2)¹ of this title, the topics covered in those courses, and the number of officers who received training in each topic, including, at the election of the State, a certified training program or course using funds provided from a source other than the grants described under subsection (b);

(ii) indicating the total number of law enforcement officers employed by the State;

(iii) providing information gathered through—

(I) pre-training and post-training tests that assess relevant knowledge and skills covered in the training curricula, as specified in section 10381(n)(1)¹ of this title; and

(II) follow-up evaluative assessments to determine the degree to which participants in the training apply, in their jobs, the knowledge and skills gained in the training;

(iv) discussing any barriers to providing training on the topics described in section 10381(n)(1)(A)¹ of this title; and

(v) indicating the amount of funding retained by the State under subsection (c)(2) and providing a tentative plan for training all law enforcement officers employed by the State using available and anticipated funds.

(3) Reporting tools

Not later than 180 days after December 27, 2022, the Attorney General shall develop a portal through which the data required under paragraphs (1) and (2) may be collected and submitted.

(4) Reports on the use of de-escalation tactics and other techniques**(A) In general**

The Attorney General, in consultation with the Director of the Federal Bureau of Investigation, relevant law enforcement agencies of States and units of local government, associations that represent individuals with mental or behavioral health diagnoses or individuals with disabilities, labor organizations, professional law enforcement organizations, local law enforcement labor and representative organizations, law enforcement trade associations, mental health and suicide prevention organizations, family advocacy organizations, and civil rights and civil liberties groups, shall establish—

(i) reporting requirements on interactions in which de-escalation tactics and other techniques in curricula developed or identified under section 10381(n)(1)¹ of this title are used by each law enforcement agency that receives funding under this section; and

(ii) mechanisms for each law enforcement agency to submit such reports to the Department of Justice.

(B) Reporting requirements

The requirements developed under subparagraph (A) shall—

(i) specify—

(I) the circumstances under which an interaction shall be reported, considering—

(aa) the cost of collecting and reporting the information; and

(bb) the value of that information for determining whether—

(AA) the objectives of the training have been met; and

(BB) the training reduced or eliminated the risk of serious physical injury to officers, subjects, and third parties; and

(II) the demographic and other relevant information about the officer and subjects involved in the interaction that shall be included in such a report; and

(ii) require such reporting be done in a manner that—

(I) is in compliance with all applicable Federal and State confidentiality laws; and

(II) does not disclose the identities of law enforcement officers, subjects, or third parties.

(C) Review of reporting requirements

Not later than 2 years after December 27, 2022, and every 2 years thereafter, the Attorney General, in consultation with the entities specified under subparagraph (A), shall review and consider updates to the reporting requirements.

(5) Failure to report

(A) In general

An entity receiving funds under this section that fails to file a report as required under paragraph (1) or (2), as applicable and as determined by the Attorney General, shall not be eligible to receive funds under this section for a period of 2 fiscal years.

(B) Rule of construction

Nothing in subparagraph (A) shall be construed to prohibit a State that fails to file a report as required under paragraph (2), and is not eligible to receive funds under this section, from making funding available to a unit of local government of the State under subsection (c)(3), if the unit of local government has complied with the reporting requirements.

(e) Attorney General reports

(1) Implementation report

Not later than 2 years after December 27, 2022, and each year thereafter in which grants are made under this section, the Attorney General shall submit a report to Congress on the implementation of activities carried out under this section.

(2) Contents

Each report under paragraph (1) shall include, at a minimum, information on—

(A) the number, amounts, and recipients of awards the Attorney General has made or intends to make using funds authorized under this section;

(B) the selection criteria the Attorney General has used or intends to use to select recipients of awards using funds authorized under this section;

(C) the number of law enforcement officers of a State or unit of local government who were not able to receive training on the topics described in section 10381(n)(1)(A)¹ of this title due to unavailability of funds and the amount of funds that would be required to complete the training; and

(D) the nature, frequency, and amount of information that the Attorney General has collected or intends to collect under subsection (d).

(3) Privacy protections

A report under paragraph (1) shall not disclose the identities of individual law enforcement officers who received, or did not receive, training under a certified training program or course.

(f) National Institute of Justice study

(1) Study and report

Not later than 2 years after the first grant award using funds authorized under this section, the National Institute of Justice shall conduct a study of the implementation of training under a certified training program or course in at least 6 jurisdictions representing an array of agency sizes and geographic locations, which shall include—

(A) a process evaluation of training implementation, which shall include an analysis of the share of officers who participated in the training, the degree to which the training was administered in accordance with the curriculum, and the fidelity with which the training was applied in the field; and

(B) an impact evaluation of the training, which shall include an analysis of the impact of the training on interactions between law enforcement officers and the public, any factors that prevent or preclude law enforcement officers from successfully de-escalating law enforcement interactions, and any recommendations on modifications to the training curricula and methods that could improve outcomes.

(2) National Institute of Justice access to portal

For the purposes of preparing the report under paragraph (1), the National Institute of Justice shall have direct access to the portal developed under subsection (d)(3).

(3) Privacy protections

The study under paragraph (1) shall not disclose the identities of individual law enforcement officers who received, or did not receive, training under a certified training program or course.

(4) Funding

Not more than 1 percent of the amount appropriated to carry out this section during any fiscal year shall be made available to conduct the study under paragraph (1).

(g) GAO report

(1) Study and report

Not later than 3 years after the first grant award using funds authorized under this sec-

tion, the Comptroller General of the United States shall review the grant program under this section and submit to Congress a report assessing the grant program, including—

(A) the process for developing and identifying curricula under section 10381(n)(1)¹ of this title, including the effectiveness of the consultation by the Attorney General with the agencies, associations, and organizations identified under section 10381(n)(1)(C)¹ of this title;

(B) the certification of training programs and courses under section 10381(n)(2)¹ of this title, including the development of the process for certification and its implementation;

(C) the training of law enforcement personnel under section 10381(n)(3)¹ of this title, including the geographic distribution of the agencies that employ the personnel receiving the training and the sizes of those agencies;

(D) the allocation of funds under subsection (c), including the geographic distribution of the agencies that receive funds and the degree to which both large and small agencies receive funds; and

(E) the amount of funding distributed to agencies compared with the amount appropriated under this section, the amount spent for training, and whether plans have been put in place by the recipient agencies to use unspent available funds.

(2) GAO access to portal

For the purposes of preparing the report under paragraph (1), the Comptroller General of the United States shall have direct access to the portal developed under subsection (d)(3).

(h) Authorization of appropriations

There is authorized to be appropriated to carry out this section—

- (1) \$40,000,000 for fiscal year 2025; and
- (2) \$50,000,000 for fiscal year 2026.

(Pub. L. 90–351, title I, §508, as added Pub. L. 117–325, §2(c)(2), Dec. 27, 2022, 136 Stat. 4444.)

Editorial Notes

REFERENCES IN TEXT

Section 10381(n) of this title, referred to in text, was redesignated section 10381(o) of this title by Pub. L. 118–64, §3, May 24, 2024, 138 Stat. 1435.

PRIOR PROVISIONS

A prior section 508 of Pub. L. 90–351 was renumbered section 509 and had been classified to section 3758 of Title 42, The Public Health and Welfare, prior to being omitted from the Code.

Another prior section 508 of Pub. L. 90–351, as added Pub. L. 100–690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4335, related to distribution of grants to local government, prior to repeal by Pub. L. 109–162, title XI, §1111(a)(1), (d), Jan. 5, 2006, 119 Stat. 3094, 3102, applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter.

PART B—DISCRETIONARY GRANTS

SUBPART 1—GRANTS TO PUBLIC AGENCIES

§ 10171. Correctional options grants

(a) Authority to make grants

The Director, in consultation with the Director of the National Institute of Corrections, may make—

(1) 4 grants in each fiscal year, in various geographical areas throughout the United States, to public agencies for correctional options (including the cost of construction) that provide alternatives to traditional modes of incarceration and offender release programs—

(A) to provide more appropriate intervention for youthful offenders who are not career criminals, but who, without such intervention, are likely to become career criminals or more serious offenders;

(B) to provide a degree of security and discipline appropriate for the offender involved;

(C) to provide diagnosis, and treatment and services (including counseling, substance abuse treatment, education, job training and placement assistance while under correctional supervision, and linkage to similar outside services), to increase the success rate of offenders who decide to pursue a course of lawful and productive conduct after release from legal restraint;

(D) to reduce criminal recidivism by offenders who receive punishment through such alternatives;

(E) to reduce the cost of correctional services and facilities by reducing criminal recidivism; and

(F) to provide work that promotes development of industrial and service skills in connection with a correctional option;

(2) grants to private nonprofit organizations—

(A) for any of the purposes specified in subparagraphs (A) through (F) of paragraph (1);

(B) to undertake educational and training programs for criminal justice personnel;

(C) to provide technical assistance to States and local units of government; and

(D) to carry out demonstration projects which, in view of previous research or experience, are likely to be a success in more than one jurisdiction;

in connection with a correctional option (excluding the cost of construction);

(3) grants to public agencies to establish, operate, and support boot camp prisons; and

(4) grants to State courts to improve security for State and local court systems.

(b) Selection of grantees

The selection of applicants to receive grants under paragraphs (1) and (2) of subsection (a) shall be based on their potential for developing or testing various innovative alternatives to traditional modes of incarceration and offender release programs. In selecting the applicants to receive grants under subsection (a)(3), the Director shall—

(1) consider the overall quality of an applicant's shock incarceration program, including