

115TH CONGRESS
1ST SESSION

S. 318

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2017

Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

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 “COPS Improvements
5 Act of 2017”.

6 **SEC. 2. COPS GRANT IMPROVEMENTS.**

7 (a) IN GENERAL.—Section 1701 of title I of the Om-
8 nibus Crime Control and Safe Streets Act of 1968 (42
9 U.S.C. 3796dd) is amended—

10 (1) by striking subsection (c);

1 (2) by redesignating subsection (b) as sub-
2 section (c);

3 (3) by striking subsection (a) and inserting the
4 following:

5 “(a) THE OFFICE OF COMMUNITY ORIENTED POLIC-
6 ING SERVICES.—

7 “(1) OFFICE.—There is within the Department
8 of Justice, under the general authority of the Attor-
9 ney General, a separate and distinct office to be
10 known as the Office of Community Oriented Policing
11 Services (referred to in this subsection as the ‘COPS
12 Office’).

13 “(2) DIRECTOR.—The COPS Office shall be
14 headed by a Director who shall—

15 “(A) be appointed by the Attorney Gen-
16 eral; and

17 “(B) have final authority over all grants,
18 cooperative agreements, and contracts awarded
19 by the COPS Office.

20 “(b) GRANT AUTHORIZATION.—The Attorney Gen-
21 eral shall carry out grant programs under which the Attor-
22 ney General makes grants to States, units of local govern-
23 ment, Indian tribal governments, other public and private
24 entities, and multi-jurisdictional or regional consortia for

1 the purposes described in subsections (c), (d), (e), and
 2 (f).”;

3 (4) in subsection (c), as so redesignated—

4 (A) in the heading, by striking “USES OF
 5 GRANT AMOUNTS.—” and inserting “COMMU-
 6 NITY POLICING AND CRIME PREVENTION
 7 GRANTS.—”;

8 (B) in paragraph (3), by striking “, to in-
 9 crease the number of officers deployed in com-
 10 munity-oriented policing”;

11 (C) in paragraph (4), by inserting “or
 12 train” after “pay for”;

13 (D) by striking paragraph (13);

14 (E) by redesignating paragraphs (5)
 15 through (12) as paragraphs (6) through (13),
 16 respectively;

17 (F) by inserting after paragraph (4) the
 18 following:

19 “(5) award grants to hire school resource offi-
 20 cers and to establish school-based partnerships be-
 21 tween local law enforcement agencies and local
 22 school systems to combat crime, gangs, drug activi-
 23 ties, active shooter incidents, and other problems in
 24 and around elementary and secondary schools;”;

1 (G) in paragraph (21), by striking “and”
2 at the end;

3 (H) by redesignating paragraph (22) as
4 paragraph (24);

5 (I) by inserting after paragraph (21), the
6 following:

7 “(22) establish and implement innovative pro-
8 grams to reduce and prevent illegal drug manufac-
9 turing, distribution, and use, including the manufac-
10 turing, distribution, and use of opioids, synthetic
11 cannabinoids, and methamphetamine;

12 “(23) award enhancing community policing and
13 crime prevention grants that meet emerging law en-
14 forcement needs, including improved communication,
15 consultation, and collaboration between police and
16 communities, de-escalation of pre-arrest conflicts
17 and critical incidents, development and adoption of
18 less lethal and non-lethal means of apprehension
19 which do not compromise officer safety, challenges of
20 managing incidents involving mentally ill offenders,
21 and relationships with tribal communities, and im-
22 provements in rural policing as warranted; and”;
23 and

1 (J) in paragraph (24), as so redesignated,
 2 by striking “through (21)” and inserting
 3 “through (23)”;

4 (5) by striking subsections (h) and (i);

5 (6) by redesignating subsections (j) and (k) as
 6 subsections (k) and (l), respectively;

7 (7) by redesignating subsections (d) through (g)
 8 as subsections (g) through (j), respectively;

9 (8) by inserting after subsection (c), as so re-
 10 designated, the following:

11 “(d) TROOPS-TO-COPS PROGRAMS.—

12 “(1) IN GENERAL.—The Attorney General shall
 13 maintain a program to encourage the use of grants
 14 made under subsection (b) to hire and train former
 15 members of the Armed Forces to serve as career law
 16 enforcement officers for deployment in community-
 17 oriented policing, particularly in communities that
 18 are adversely affected by a recent military base clos-
 19 ing, realignment, or significant force structure re-
 20 duction.

21 “(2) DEFINITION.—In this subsection, ‘former
 22 member of the Armed Forces’ means a member of
 23 the Armed Forces of the United States who is invol-
 24 untarily separated from the Armed Forces within

1 the meaning of section 1141 of title 10, United
2 States Code.

3 “(e) COMMUNITY PROSECUTORS PROGRAM.—The
4 Attorney General may make grants under subsection (b)
5 to pay for additional community prosecuting programs, in-
6 cluding programs that assign prosecutors to—

7 “(1) handle cases from specific geographic
8 areas; and

9 “(2) address counter-terrorism problems, spe-
10 cific violent crime problems (including intensive ille-
11 gal gang, gun, and drug enforcement and quality of
12 life initiatives), and localized violent and other crime
13 problems based on needs identified by local law en-
14 forcement agencies, community organizations, and
15 others.

16 “(f) TECHNOLOGY GRANTS.—The Attorney General
17 may make grants under subsection (b) to develop and use
18 new technologies (including interoperable communications
19 technologies, technologies for responding to active shooter
20 incidents, modernized criminal record technology, and fo-
21 rensic technology) to assist State and local law enforce-
22 ment agencies in reorienting the emphasis of their activi-
23 ties from reacting to crime to preventing crime and to
24 train law enforcement officers to use such technologies.”;

25 (9) in subsection (g), as so redesignated—

1 (A) in paragraph (1), by striking “to
 2 States, units of local government, Indian tribal
 3 governments, and to other public and private
 4 entities,”;

5 (B) in paragraph (2), by striking “define
 6 for State and local governments, and other pub-
 7 lic and private entities,” and inserting “estab-
 8 lish”; and

9 (C) in the first sentence of paragraph (3),
 10 by inserting “(including regional community po-
 11licing institutes)” after “training centers or fa-
 12cilities”;

13 (10) in subsection (i), as so redesignated—

14 (A) by striking “subsection (a)” the first
 15 place that term appears and inserting “para-
 16graphs (1) and (2) of subsection (c)”;

17 (B) by striking “in each fiscal year pursu-
 18 ant to subsection (a)” and inserting “in each
 19 fiscal year for purposes described in paragraphs
 20 (1) and (2) of subsection (c)”;

21 (11) in subsection (j), as so redesignated—

22 (A) by striking “subsection (a)” and in-
 23serting “subsection (b)”;

24 (B) by striking the second sentence;

25 (12) in subsection (k), as so redesignated—

1 (A) in paragraph (1)—

2 (i) by striking “subsection (i) and”;

3 and

4 (ii) by striking “subsection (b)” and

5 inserting “subsection (c)”; and

6 (B) in paragraph (4), by striking “2015”

7 and inserting “2022”; and

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

9 “(m) RETENTION OF ADDITIONAL OFFICER POSI-
 10 TIONS.—For any grant under paragraph (1) or (2) of sub-
 11 section (c) for hiring or rehiring career law enforcement
 12 officers, a grant recipient shall retain each additional law
 13 enforcement officer position created under that grant for
 14 not less than 12 months after the end of the period of
 15 that grant, unless the Attorney General waives, wholly or
 16 in part, the retention requirement of a program, project,
 17 or activity.”.

18 (b) APPLICATIONS.—Section 1702 of title I of the
 19 Omnibus Crime Control and Safe Streets Act of 1968 (42
 20 U.S.C. 3796dd–1) is amended—

21 (1) in subsection (c)—

22 (A) in the matter preceding paragraph (1),

23 by inserting “, unless waived by the Attorney
 24 General” after “under this part shall”;

25 (B) by striking paragraph (8); and

1 (C) by redesignating paragraphs (9)
 2 through (11) as paragraphs (8) through (10),
 3 respectively; and
 4 (2) by striking subsection (d).

5 (c) RENEWAL OF GRANTS.—Section 1703 of title I
 6 of the Omnibus Crime Control and Safe Streets Act of
 7 1968 (42 U.S.C. 3796dd–2) is amended to read as follows:

8 **“SEC. 1703. RENEWAL OF GRANTS.**

9 “(a) IN GENERAL.—A grant made under this part
 10 may be renewed, without limitations on the duration of
 11 such renewal, to provide additional funds, if the Attorney
 12 General determines that the funds made available to the
 13 recipient were used in a manner required under an ap-
 14 proved application and if the recipient can demonstrate
 15 significant progress in achieving the objectives of the ini-
 16 tial application.

17 “(b) NO COST EXTENSIONS.—Notwithstanding sub-
 18 section (a), the Attorney General may extend a grant pe-
 19 riod, without limitations as to the duration of such exten-
 20 sion, to provide additional time to complete the objectives
 21 of the initial grant award.”.

22 (d) LIMITATION ON USE OF FUNDS.—Section 1704
 23 of title I of the Omnibus Crime Control and Safe Streets
 24 Act of 1968 (42 U.S.C. 3796dd–3) is amended—

1 (1) in subsection (a), by striking “that would,
 2 in the absence of Federal funds received under this
 3 part, be made available from State or local sources”
 4 and inserting “that the Attorney General determines
 5 would, in the absence of Federal funds received
 6 under this part, be made available for the purpose
 7 of the grant under this part from State or local
 8 sources”; and

9 (2) by striking subsection (c).

10 (e) ENFORCEMENT ACTIONS.—Section 1706 of title
 11 I of the Omnibus Crime Control and Safe Streets Act of
 12 1968 (42 U.S.C. 3796dd–5) is amended—

13 (1) in the section heading, by striking “**REV-**
 14 **OCATION OR SUSPENSION OF FUNDING**” and in-
 15 serting “**ENFORCEMENT ACTIONS**”; and

16 (2) by striking “revoke or suspend” and all that
 17 follows and inserting “take any enforcement action
 18 available to the Department of Justice.”.

19 (f) DEFINITIONS.—Section 1709(1) of title I of the
 20 Omnibus Crime Control and Safe Streets Act of 1968 (42
 21 U.S.C. 3796dd–8(1)) is amended—

22 (1) by striking “who is authorized” and insert-
 23 ing “who is a sworn law enforcement officer and is
 24 authorized”; and

1 (2) by inserting “, including officers for the
2 Amtrak Police Department” before the period at the
3 end.

4 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
5 1001(a)(11) of title I of the Omnibus Crime Control and
6 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(11)) is
7 amended—

8 (1) in subparagraph (A), by striking
9 “\$1,047,119,000 for each of fiscal years 2006
10 through 2009” and inserting “\$900,000,000 for
11 each of fiscal years 2017 through 2022”; and

12 (2) in subparagraph (B)—

13 (A) in the first sentence—

14 (i) by striking “3 percent” and insert-
15 ing “5 percent”; and

16 (ii) by striking “section 1701(d)” and
17 inserting “section 1701(g)”; and

18 (B) by striking the second sentence and in-
19 serting the following: “Of the funds available
20 for grants under part Q, not less than
21 \$500,000,000 shall be used for grants for the
22 purposes specified in section 1701(c), not more
23 than \$150,000,000 shall be used for grants
24 under section 1701(e), and not more than

1 \$250,000,000 shall be used for grants under
2 section 1701(f).”.

3 (h) PURPOSES.—Section 10002 of the Public Safety
4 Partnership and Community Policing Act of 1994 (42
5 U.S.C. 3796dd note) is amended—

6 (1) in paragraph (4), by striking “development”
7 and inserting “use”; and

8 (2) in the matter following paragraph (4), by
9 striking “for a period of 6 years”.

10 (i) COPS PROGRAM IMPROVEMENTS.—

11 (1) IN GENERAL.—Section 109(b) of title I of
12 the Omnibus Crime Control and Safe Streets Act of
13 1968 (42 U.S.C. 3712h(b)) is amended—

14 (A) by striking paragraph (1);

15 (B) by redesignating paragraphs (2) and
16 (3) as paragraphs (1) and (2), respectively; and

17 (C) in paragraph (2), as so redesignated,
18 by inserting “, except for the program under
19 part Q of this title” before the period.

20 (2) LAW ENFORCEMENT COMPUTER SYS-
21 TEMS.—Section 107 of title I of the Omnibus Crime
22 Control and Safe Streets Act of 1968 (42 U.S.C.
23 3712f) is amended by adding at the end the fol-
24 lowing:

1 “(c) EXCEPTION.—This section shall not apply to any
2 grant made under part Q of this title.”.

3 (j) RELATIONSHIP TO TRIBAL LAW AND ORDER
4 ACT.—Nothing in this Act, or any amendment made by
5 this Act, shall be construed to affect or impair section 247
6 of the Tribal Law and Order Act of 2010 (42 U.S.C.
7 3796dd note).

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