

106TH CONGRESS  
1ST SESSION

# S. 1760

To provide reliable officers, technology, education, community prosecutors,  
and training in our neighborhoods.

---

## IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 1999

Mr. BIDEN (for himself, Mr. AKAKA, Mr. BAUCUS, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BRYAN, Mr. BYRD, Mr. CLELAND, Ms. COLLINS, Mr. DASCHLE, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. GRAHAM, Mr. HARKIN, Mr. HOLLINGS, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Mr. MOYNIHAN, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. ROTH, Mr. SARBANES, Mr. SCHUMER, Mr. SPECTER, Ms. SNOWE, Mr. TORRICELLI, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To provide reliable officers, technology, education, community prosecutors, and training in our neighborhoods.

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 “Providing Reliable Of-  
5 ficers, Technology, Education, Community Prosecutors,

1 and Training In Our Neighborhoods Act of 1999” or  
2 “PROTECTION Act”.

3 **SEC. 2. PROVIDING RELIABLE OFFICERS, TECHNOLOGY,**  
4 **EDUCATION, COMMUNITY PROSECUTORS,**  
5 **AND TRAINING IN OUR NEIGHBORHOOD INI-**  
6 **TIATIVE.**

7 (a) COPS PROGRAM.—Section 1701(a) of title I of  
8 the Omnibus Crime Control and Safe Streets Act of 1968  
9 (42 U.S.C. 3796dd(a)) is amended by—

10 (1) inserting “and prosecutor” after “increase  
11 police”; and

12 (2) inserting “to enhance law enforcement ac-  
13 cess to new technologies, and” after “presence,”.

14 (b) HIRING AND REDEPLOYMENT GRANT  
15 PROJECTS.—Section 1701(b) of title I of the Omnibus  
16 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
17 3796dd(b)) is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (B)—

20 (i) by inserting after “Nation” the fol-  
21 lowing: “, or pay overtime to existing ca-  
22 reer law enforcement officers to the extent  
23 that such overtime is devoted to commu-  
24 nity policing efforts”; and

25 (ii) by striking “and” at the end;

1 (B) in subparagraph (C), by—

2 (i) striking “or pay overtime”; and

3 (ii) striking the period at the end and  
4 inserting “; and”; and

5 (C) by adding at the end the following:

6 “(D) promote higher education among in-  
7 service State and local law enforcement officers  
8 by reimbursing them for the costs associated  
9 with seeking a college or graduate school edu-  
10 cation.”; and

11 (2) in paragraph (2) by striking all that follows  
12 SUPPORT SYSTEMS.—” and inserting “Grants pur-  
13 suant to—

14 “(A) paragraph (1)(B) for overtime may  
15 not exceed 25 percent of the funds available for  
16 grants pursuant to this subsection for any fiscal  
17 year;

18 “(B) paragraph (1)(C) may not exceed 20  
19 percent of the funds available for grants pursu-  
20 ant to this subsection in any fiscal year; and

21 “(C) paragraph (1)(D) may not exceed 5  
22 percent of the funds available for grants pursu-  
23 ant to this subsection for any fiscal year.”.

1 (c) ADDITIONAL GRANT PROJECTS.—Section  
2 1701(d) of title I of the Omnibus Crime Control and Safe  
3 Streets Act of 1968 (42 U.S.C. 3796dd(d)) is amended—

4 (1) in paragraph (2)—

5 (A) by inserting “integrity and ethics”  
6 after “specialized”; and

7 (B) by inserting “and” after “enforcement  
8 officers”;

9 (2) in paragraph (7) by inserting “school offi-  
10 cials, religiously-affiliated organizations,” after “en-  
11 forcement officers”;

12 (3) by striking paragraph (8) and inserting the  
13 following:

14 “(8) establish school-based partnerships between  
15 local law enforcement agencies and local school sys-  
16 tems, by using school resource officers who operate  
17 in and around elementary and secondary schools to  
18 serve as a law enforcement liaison with other Fed-  
19 eral, State, and local law enforcement and regulatory  
20 agencies, combat school-related crime and disorder  
21 problems, gang membership and criminal activity,  
22 firearms and explosives-related incidents, illegal use  
23 and possession of alcohol, and the illegal possession,  
24 use, and distribution of drugs;”;

1           (4) in paragraph (10) by striking “and” at the  
2           end;

3           (5) in paragraph (11) by striking the period  
4           that appears at the end and inserting “; and”; and

5           (6) by adding at the end the following:

6           “(12) develop and implement innovative pro-  
7           grams (such as the TRIAD program) that bring to-  
8           gether a community’s sheriff, chief of police, and el-  
9           derly residents to address the public safety concerns  
10          of older citizens.”.

11          (d) TECHNICAL ASSISTANCE.—Section 1701(f) of  
12          title I of the Omnibus Crime Control and Safe Streets Act  
13          of 1968 (42 U.S.C. 3796dd(f)) is amended—

14               (1) in paragraph (1)—

15                   (A) by inserting “use up to 5 percent of  
16                   the funds appropriated under subsection (a) to”  
17                   after “The Attorney General may”;

18                   (B) by inserting at the end the following:

19                   “In addition, the Attorney General may use up  
20                   to 5 percent of the funds appropriated under  
21                   subsections (d), (e), and (f) for technical assist-  
22                   ance and training to States, units of local gov-  
23                   ernment, Indian tribal governments, and to  
24                   other public and private entities for those re-  
25                   spective purposes.”;

1           (2) in paragraph (2) by inserting “under sub-  
2           section (a)” after “the Attorney General”; and

3           (3) in paragraph (3)—

4           (A) by striking “the Attorney General  
5           may” and inserting “the Attorney General  
6           shall”;

7           (B) by inserting “regional community po-  
8           licing institutes” after “operation of”; and

9           (C) by inserting “representatives of police  
10          labor and management organizations, commu-  
11          nity residents,” after “supervisors,”.

12          (e) TECHNOLOGY AND PROSECUTION PROGRAMS.—  
13          Section 1701 of title I of the Omnibus Crime Control and  
14          Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended  
15          by—

16               (1) striking subsection (k);

17               (2) redesignating subsections (f) through (j) as  
18          subsections (g) through (k); and

19               (3) striking subsection (e) and inserting the fol-  
20          lowing:

21          “(e) LAW ENFORCEMENT TECHNOLOGY PROGRAM.—  
22          Grants made under subsection (a) may be used to assist  
23          police departments, in employing professional, scientific,  
24          and technological advancements that will help them—

1           “(1) improve police communications through  
2           the use of wireless communications, computers, soft-  
3           ware, videocams, databases and other hardware and  
4           software that allow law enforcement agencies to  
5           communicate more effectively across jurisdictional  
6           boundaries and effectuate interoperability;

7           “(2) develop and improve access to crime solv-  
8           ing technologies, including DNA analysis, photo en-  
9           hancement, voice recognition, and other forensic ca-  
10          pabilities; and

11          “(3) promote comprehensive crime analysis by  
12          utilizing new techniques and technologies, such as  
13          crime mapping, that allow law enforcement agencies  
14          to use real-time crime and arrest data and other re-  
15          lated information—including non-criminal justice  
16          data—to improve their ability to analyze, predict,  
17          and respond pro-actively to local crime and disorder  
18          problems, as well as to engage in regional crime  
19          analysis.

20          “(f) COMMUNITY-BASED PROSECUTION PROGRAM.—  
21          Grants made under subsection (a) may be used to assist  
22          State, local or tribal prosecutors’ offices in the implemen-  
23          tation of community-based prosecution programs that  
24          build on local community policing efforts. Funds made  
25          available under this subsection may be used to—

1           “(1) hire additional prosecutors who will be as-  
2           signed to community prosecution programs, includ-  
3           ing programs that assign prosecutors to handle cases  
4           from specific geographic areas, to address specific  
5           violent crime and other local crime problems (includ-  
6           ing intensive illegal gang, gun and drug enforcement  
7           projects and quality of life initiatives), and to ad-  
8           dress localized violent and other crime problems  
9           based on needs identified by local law enforcement  
10          agencies, community organizations, and others;

11          “(2) redeploy existing prosecutors to community  
12          prosecution programs as described in paragraph (1)  
13          of this section by hiring victim and witness coordina-  
14          tors, paralegals, community outreach, and other  
15          such personnel; and

16          “(3) establish programs to assist local prosecu-  
17          tors’ offices in the implementation of programs that  
18          help them identify and respond to priority crime  
19          problems in a community with specifically tailored  
20          solutions.

21          At least 75 percent of the funds made available under  
22          this subsection shall be reserved for grants under para-  
23          graphs (1) and (2) and of those amounts no more than  
24          10 percent may be used for grants under paragraph (2)  
25          and at least 25 percent of the funds shall be reserved for



1 grants under paragraphs (1) and (2) to units of local gov-  
2 ernment with a population of less than 50,000.”.

3 (f) RETENTION GRANTS.—Section 1703 of title I of  
4 the Omnibus Crime Control and Safe Streets Act of 1968  
5 (42 U.S.C. 3796dd–2) is amended by inserting at the end  
6 the following:

7 “(d) RETENTION GRANTS.—The Attorney General  
8 may use no more than 50 percent of the funds under sub-  
9 section (a) to award grants targeted specifically for reten-  
10 tion of police officers to grantees in good standing, with  
11 preference to those that demonstrate financial hardship or  
12 severe budget constraint that impacts the entire local  
13 budget and may result in the termination of employment  
14 for police officers funded under subsection (b)(1).”.

15 (g) DEFINITIONS.—

16 (1) CAREER LAW ENFORCEMENT OFFICER.—  
17 Section 1709(1) of title I of the Omnibus Crime  
18 Control and Safe Streets Act of 1968 (42 U.S.C.  
19 3796dd–8) is amended by inserting after “criminal  
20 laws” the following: “including sheriffs deputies  
21 charged with supervising offenders who are released  
22 into the community but also engaged in local com-  
23 munity policing efforts.”.

24 (2) SCHOOL RESOURCE OFFICER.—Section  
25 1709(4) of title I of the Omnibus Crime Control and

1 Safe Streets Act of 1968 (42 U.S.C. 3796dd–8) is  
2 amended—

3 (A) by striking subparagraph (A) and in-  
4 serting the following:

5 “(A) to serve as a law enforcement liaison with  
6 other Federal, State, and local law enforcement  
7 and regulatory agencies, to address and docu-  
8 ment crime and disorder problems including  
9 gangs and drug activities, firearms and explo-  
10 sives-related incidents, and the illegal use and  
11 possession of alcohol affecting or occurring in  
12 or around an elementary or secondary school;

13 (B) by striking subparagraph (E) and in-  
14 serting the following:

15 “(E) to train students in conflict resolution, re-  
16 storative justice, and crime awareness, and to  
17 provide assistance to and coordinate with other  
18 officers, mental health professionals, and youth  
19 counselors who are responsible for the imple-  
20 mentation of prevention/intervention programs  
21 within the schools;” and

22 (C) by adding at the end the following:

23 “(H) to work with school administrators,  
24 members of the local parent teacher associa-  
25 tions, community organizers, law enforcement,

1 fire departments, and emergency medical per-  
2 sonnel in the creation, review, and implementa-  
3 tion of a school violence prevention plan;

4 “(I) to assist in documenting the full de-  
5 scription of all firearms found or taken into  
6 custody on school property and to initiate a  
7 firearms trace and ballistics examination for  
8 each firearm with the local office of the Bureau  
9 of Alcohol, Tobacco, and Firearms;

10 “(J) to document the full description of all  
11 explosives or explosive devices found or taken  
12 into custody on school property and report to  
13 the local office of the Bureau of Alcohol, To-  
14 bacco, and Firearms; and

15 “(K) to assist school administrators with  
16 the preparation of the Department of Edu-  
17 cation, Annual Report on State Implementation  
18 of the Gun-Free Schools Act which tracks the  
19 number of students expelled per year for bring-  
20 ing a weapon, firearm, or explosive to school.”.

21 (h) AUTHORIZATION OF APPROPRIATIONS.—Section  
22 1001(a)(11) of title I of the Omnibus Crime Control and  
23 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(11)) is  
24 amended—

1           (1) by amending subparagraph (A) to read as  
2 follows:

3           “(A) There are authorized to be appro-  
4 priated to carry out part Q, to remain available  
5 until expended—

6                   “(i) \$1,150,000,000 for fiscal year  
7 2000;

8                   “(ii) \$1,150,000,000 for fiscal year  
9 2001;

10                   “(iii) \$1,150,000,000 for fiscal year  
11 2002;

12                   “(iv) \$1,150,000,000 for fiscal year  
13 2003;

14                   “(v) \$1,150,000,000 for fiscal year  
15 2004; and

16                   “(vi) \$1,150,000,000 for fiscal year  
17 2005.”; and

18           (2) in subparagraph (B)—

19                   (A) by striking “3 percent” and inserting  
20 “5 percent”;

21                   (B) by striking “1701(f)” and inserting  
22 “1701(g)”;

23                   (C) by striking the second sentence and in-  
24 serting “Of the remaining funds, if there is a  
25 demand for 50 percent of appropriated hiring

1 funds, as determined by eligible hiring applica-  
2 tions from law enforcement agencies having ju-  
3 risdiction over areas with populations exceeding  
4 150,000, no less than 50 percent shall be allo-  
5 cated for grants pursuant to applications sub-  
6 mitted by units of local government or law en-  
7 forcement agencies having jurisdiction over  
8 areas with populations exceeding 150,000 or by  
9 public and private entities that serve areas with  
10 populations exceeding 150,000, and no less  
11 than 50 percent shall be allocated for grants  
12 pursuant to applications submitted by units of  
13 local government or law enforcement agencies  
14 having jurisdiction over areas with populations  
15 less than 150,000 or by public and private enti-  
16 ties that serve areas with populations less than  
17 150,000.”;

18 (D) by striking “85 percent” and inserting  
19 “\$600,000,000”; and

20 (E) by striking “1701(b),” and all that fol-  
21 lows through “of part Q” and inserting the fol-  
22 lowing: “1701 (b) and (c), \$350,000,000 to  
23 grants for the purposes specified in section

1           1701(e), and \$200,000,000 to grants for the  
2           purposes specified in section 1701(f).”.

○