

108TH CONGRESS  
2D SESSION

# H. R. 5277

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

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 2004

Mr. WEINER (for himself, Mr. KELLER, Mr. STUPAK, Mr. QUINN, Mr. ANDREWS, Mr. PLATTS, Mr. HOLDEN, Mr. ABERCROMBIE, Mr. ACEVEDO-VILÁ, Mr. ACKERMAN, Mr. ALLEN, Mr. BACA, Mr. BAIRD, Ms. BALDWIN, Mr. BECERRA, Mr. BELL, Ms. BERKLEY, Mr. BERMAN, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BOSWELL, Mr. BOUCHER, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CARDOZA, Mr. CARSON of Oklahoma, Ms. CARSON of Indiana, Mr. CASE, Mr. CHANDLER, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. COOPER, Mr. COSTELLO, Mr. CRAMER, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. DAVIS of Florida, Mr. DAVIS of Tennessee, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DOOLEY of California, Mr. DOYLE, Mr. EDWARDS, Mr. EMANUEL, Mr. ENGEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FALCOMA, Mr. FARR, Mr. FATAH, Mr. FILNER, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEPHARDT, Mr. GONZALEZ, Mr. GORDON, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Ms. HERSETH, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOFFEL, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. JOHN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KLECZKA, Mr. KUCINICH, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. LOBIONDO, Ms. LOFGREN, Mrs. LOWEY, Mr. LUCAS of Kentucky, Mr. LYNCH, Ms. MAJETTE, Mrs. MALONEY, Mr. MARKEY, Mr. MARSHALL, Mr. MATHESON, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McINTYRE, Mr. McNULTY, Mr. MEEHAN, Mr. MEEK of Florida, Mr.

MEEKS of New York, Mr. MENENDEZ, Mr. MICHAUD, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOLLOHAN, Mr. MOORE, Mr. MORAN of Virginia, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OBEY, Mr. OLVER, Mr. ORTIZ, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Mr. ROSS, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABO, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Mr. SANDLIN, Mr. SAXTON, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHAYS, Mr. SHERMAN, Mr. SHIMKUS, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SNYDER, Ms. SOLIS, Mr. SPRATT, Mr. STARK, Mr. STENHOLM, Mr. STRICKLAND, Mr. TANNER, Mrs. TAUSCHER, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TOWNS, Mr. TURNER of Texas, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mr. VISCLOSKY, Ms. WATERS, Ms. WATSON, Mr. WATT, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, Mr. WYNN, Mr. MURTHA, and Ms. BORDALLO) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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,  
 6        and Training In Our Neighborhoods Act of 2004” or  
 7        “PROTECTION Act”.

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

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

8 (1) inserting “and prosecutor” after “increase  
9 police”; and

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

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

16 (1) in paragraph (1)—

17 (A) in subparagraph (B)(i), by inserting  
18 after “Nation” the following: “, or pay overtime  
19 to existing career law enforcement officers to  
20 the extent that such overtime is devoted to com-  
21 munity policing efforts”; and

22 (B) by striking subparagraph (C) and in-  
23 serting the following:

24 “(C) promote higher education among in-  
25 service State and local law enforcement officers  
26 by reimbursing them for the costs associated

1 with seeking a college or graduate school edu-  
2 cation.”; and

3 (2) by amending paragraph (2) to read as fol-  
4 lows:

5 “(2) LIMITATION ON GRANTS TO PROMOTE  
6 HIGHER EDUCATION.—Grants pursuant to para-  
7 graph (1)(C) may not exceed 5 percent of the funds  
8 available for grants pursuant to this subsection for  
9 any fiscal year.”.

10 (c) ADDITIONAL GRANT PROJECTS.—Section  
11 1701(d) of title I of the Omnibus Crime Control and Safe  
12 Streets Act of 1968 (42 U.S.C. 3796dd(d)) is amended—

13 (1) in paragraph (2)—

14 (A) by inserting “integrity and ethics”  
15 after “specialized”; and

16 (B) by inserting “and” after “enforcement  
17 officers”;

18 (2) in paragraph (7) by inserting “school offi-  
19 cials, religiously-affiliated organizations,” after “en-  
20 forcement officers”;

21 (3) by striking paragraph (8) and inserting the  
22 following:

23 “(8) establish school-based partnerships be-  
24 tween local law enforcement agencies and local  
25 school systems, by using school resource officers who

1 operate in and around elementary and secondary  
2 schools to serve as a law enforcement liaison with  
3 other Federal, State, and local law enforcement and  
4 regulatory agencies, combat school-related crime and  
5 disorder problems, gang membership and criminal  
6 activity, firearms and explosives-related incidents, il-  
7 legal use and possession of alcohol, and the illegal  
8 possession, use, and distribution of drugs;”;

9 (4) in paragraph (11) by striking “and” at the  
10 end;

11 (5) in paragraph (12) by striking the period at  
12 the end and inserting “; and”; and

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

14 “(13) develop and implement innovative pro-  
15 grams (such as the TRIAD program) that bring to-  
16 gether a community’s sheriff, chief of police, and el-  
17 derly residents to address the public safety concerns  
18 of older citizens.”.

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

22 (1) in paragraph (1)—

23 (A) by inserting “use up to 5 percent of  
24 the funds appropriated under subsection (a) to”  
25 after “The Attorney General may”; and

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

2 “In addition, the Attorney General may use up  
3 to 5 percent of the funds appropriated under  
4 subsections (d), (e), and (f) for technical assist-  
5 ance and training to States, units of local gov-  
6 ernment, Indian tribal governments, and to  
7 other public and private entities for those re-  
8 spective purposes.”;

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

11 (3) in paragraph (3)—

12 (A) by striking “the Attorney General  
13 may” and inserting “the Attorney General  
14 shall”;

15 (B) by inserting “regional community po-  
16licing institutes” after “operation of”; and

17 (C) by inserting “representatives of police  
18labor and management organizations, commu-  
19nity residents,” after “supervisors,”.

20 (e) TECHNOLOGY AND PROSECUTION PROGRAMS.—

21 Section 1701 of title I of the Omnibus Crime Control and  
22 Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended  
23 by—

24 (1) striking subsection (k);

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

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

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

9           “(1) improve police communications through  
10 the use of wireless communications, computers, soft-  
11 ware, videocams, databases and other hardware and  
12 software that allow law enforcement agencies to  
13 communicate more effectively across jurisdictional  
14 boundaries and effectuate interoperability;

15           “(2) develop and improve access to crime solv-  
16 ing technologies, including DNA analysis, photo en-  
17 hancement, voice recognition, and other forensic ca-  
18 pabilities;

19           “(3) promote comprehensive crime analysis by  
20 utilizing new techniques and technologies, such as  
21 crime mapping, that allow law enforcement agencies  
22 to use real-time crime and arrest data and other re-  
23 lated information—including non-criminal justice  
24 data—to improve their ability to analyze, predict,  
25 and respond pro-actively to local crime and disorder

1 problems, as well as to engage in regional crime  
2 analysis; and

3 “(4) pay overtime to existing career law en-  
4 forcement officers.

5 “(f) COMMUNITY-BASED PROSECUTION PROGRAM.—  
6 Grants made under subsection (a) may be used to assist  
7 State, local or tribal prosecutors’ offices in the implemen-  
8 tation of community-based prosecution programs that  
9 build on local community policing efforts. Funds made  
10 available under this subsection may be used to—

11 “(1) hire additional prosecutors who will be as-  
12 signed to community prosecution programs, includ-  
13 ing programs that assign prosecutors to handle cases  
14 from specific geographic areas, to address specific  
15 violent crime and other local crime problems (includ-  
16 ing intensive illegal gang, gun and drug enforcement  
17 projects and quality of life initiatives), and to ad-  
18 dress localized violent and other crime problems  
19 based on needs identified by local law enforcement  
20 agencies, community organizations, and others;

21 “(2) redeploy existing prosecutors to community  
22 prosecution programs as described in paragraph (1)  
23 of this section by hiring victim and witness coordina-  
24 tors, paralegals, community outreach, and other  
25 such personnel;



1           “(3) establish programs to assist local prosecu-  
2           tors’ offices in the implementation of programs that  
3           help them identify and respond to priority crime  
4           problems in a community with specifically tailored  
5           solutions; and

6           “(4) pay overtime to existing career law en-  
7           forcement officers.”.

8           At least 75 percent of the funds made available under this  
9           subsection shall be reserved for grants under paragraphs  
10          (1) and (2) and of those amounts no more than 10 percent  
11          may be used for grants under paragraph (2) and at least  
12          25 percent of the funds shall be reserved for grants under  
13          paragraphs (1) and (2) to units of local government with  
14          a population of less than 50,000.

15          (f) RETENTION GRANTS.—Section 1703 of title I of  
16          the Omnibus Crime Control and Safe Streets Act of 1968  
17          (42 U.S.C. 3796dd–2) is amended by inserting at the end  
18          the following:

19          “(d) RETENTION GRANTS.—The Attorney General  
20          may use no more than 50 percent of the funds under sub-  
21          section (a) to award grants targeted specifically for reten-  
22          tion of police officers to grantees in good standing, with  
23          preference to those that demonstrate financial hardship or  
24          severe budget constraint that impacts the entire local

1 budget and may result in the termination of employment  
2 for police officers funded under subsection (b)(1).”.

3 (g) DEFINITIONS.—

4 (1) CAREER LAW ENFORCEMENT OFFICER.—

5 Section 1709(1) of title I of the Omnibus Crime  
6 Control and Safe Streets Act of 1968 (42 U.S.C.  
7 3796dd–8) is amended by inserting after “criminal  
8 laws” the following: “, including a sheriff’s deputy  
9 charged with supervising offenders who are released  
10 into the community but also engaged in local com-  
11 munity policing efforts”.

12 (2) SCHOOL RESOURCE OFFICER.—Section  
13 1709(4) of title I of the Omnibus Crime Control and  
14 Safe Streets Act of 1968 (42 U.S.C. 3796dd–8) is  
15 amended—

16 (A) by striking subparagraph (A) and in-  
17 serting the following:

18 “(A) to serve as a law enforcement liaison  
19 with other Federal, State, and local law en-  
20 forcement and regulatory agencies, to address  
21 and document crime and disorder problems in-  
22 cluding gangs and drug activities, firearms and  
23 explosives-related incidents, and the illegal use  
24 and possession of alcohol affecting or occurring

1 in or around an elementary or secondary  
2 school;”;

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

5 “(E) to train students in conflict resolu-  
6 tion, restorative justice, and crime awareness,  
7 and to provide assistance to and coordinate  
8 with other officers, mental health professionals,  
9 and youth counselors who are responsible for  
10 the implementation of prevention/intervention  
11 programs within the schools;”;

12 (C) in subparagraph (F) by striking “and”  
13 at the end;

14 (D) in subparagraph (G) by striking the  
15 period at the end and inserting a semicolon;  
16 and

17 (E) by adding at the end the following:

18 “(H) to work with school administrators,  
19 members of the local parent teacher associa-  
20 tions, community organizers, law enforcement,  
21 fire departments, and emergency medical per-  
22 sonnel in the creation, review, and implementa-  
23 tion of a school violence prevention plan;

24 “(I) to assist in documenting the full de-  
25 scription of all firearms found or taken into

1 custody on school property and to initiate a  
2 firearms trace and ballistics examination for  
3 each firearm with the local office of the Bureau  
4 of Alcohol, Tobacco, Firearms, and Explosives;

5 “(J) to document the full description of all  
6 explosives or explosive devices found or taken  
7 into custody on school property and report to  
8 the local office of the Bureau of Alcohol, To-  
9 bacco, Firearms, and Explosives; and

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

16 (h) AUTHORIZATION OF APPROPRIATIONS.—Section  
17 1001(a)(11) of title I of the Omnibus Crime Control and  
18 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(11)) is  
19 amended—

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

22 “(A) There are authorized to be appro-  
23 priated to carry out part Q, to remain available  
24 until expended—

1 “(i) \$1,150,000,000 for fiscal year  
2 2005;

3 “(ii) \$1,150,000,000 for fiscal year  
4 2006;

5 “(iii) \$1,150,000,000 for fiscal year  
6 2007;

7 “(iv) \$1,150,000,000 for fiscal year  
8 2008;

9 “(v) \$1,150,000,000 for fiscal year  
10 2009; and

11 “(vi) \$1,150,000,000 for fiscal year  
12 2010.”; and

13 (2) in subparagraph (B)—

14 (A) by striking “3 percent” and inserting  
15 “5 percent”;

16 (B) by striking “1701(f)” and inserting  
17 “1701(g)”;

18 (C) by striking the second sentence and in-  
19 serting “Of the remaining funds, if there is a  
20 demand for 50 percent of appropriated hiring  
21 funds, as determined by eligible hiring applica-  
22 tions from law enforcement agencies having ju-  
23 risdiction over areas with populations exceeding  
24 150,000, no less than 50 percent shall be allo-  
25 cated for grants pursuant to applications sub-

1           mitted by units of local government or law en-  
2           forcement agencies having jurisdiction over  
3           areas with populations exceeding 150,000 or by  
4           public and private entities that serve areas with  
5           populations exceeding 150,000, and no less  
6           than 50 percent shall be allocated for grants  
7           pursuant to applications submitted by units of  
8           local government or law enforcement agencies  
9           having jurisdiction over areas with populations  
10          less than 150,000 or by public and private enti-  
11          ties that serve areas with populations less than  
12          150,000.”;

13                 (D) by striking “85 percent” and inserting  
14                 “\$600,000,000”; and

15                 (E) by striking “1701(b),” and all that fol-  
16                 lows through “of part Q” and inserting the fol-  
17                 lowing: “1701 (b) and (c), \$350,000,000 to  
18                 grants for the purposes specified in section  
19                 1701(e), and \$200,000,000 to grants for the  
20                 purposes specified in section 1701(f)”.

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