

108TH CONGRESS
1ST SESSION

S. 679

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

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2003

Mr. BIDEN (for himself, Mr. KOHL, Mr. BINGAMAN, Mr. BAUCUS, Mrs. CLINTON, Ms. STABENOW, Mr. EDWARDS, Mr. SARBANES, Mrs. MURRAY, Mr. KERRY, Mr. LEAHY, Mr. LEVIN, Mr. DURBIN, Mr. LIEBERMAN, Mr. KENNEDY, Mr. HOLLINGS, Mr. NELSON of Nebraska, Ms. MIKULSKI, Mr. BAYH, Ms. CANTWELL, Mr. DORGAN, Mr. CONRAD, Mrs. FEINSTEIN, Mr. CORZINE, Mr. CARPER, Mr. JEFFORDS, Mr. JOHNSON, Mr. ROCKEFELLER, Mr. SMITH, Mr. DAYTON, Mr. AKAKA, Mr. REED, Mr. BREAUX, Mr. NELSON of Florida, Mr. HARKIN, Mr. SCHUMER, Mrs. BOXER, Mr. DODD, Mr. SPECTER, Ms. LANDRIEU, Mr. DASCHLE, Mr. BYRD, Mr. LAUTENBERG, Mr. PRYOR, Mrs. LINCOLN, and Mr. REID) 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 2003” 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 be-
15 tween local law enforcement agencies and local
16 school systems, by using school resource officers who
17 operate in and around elementary and secondary
18 schools to serve as a law enforcement liaison with
19 other Federal, State, and local law enforcement and
20 regulatory agencies, combat school-related crime and
21 disorder problems, gang membership and criminal
22 activity, firearms and explosives-related incidents, il-
23 legal use and possession of alcohol, and the illegal
24 possession, 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 this
22 subsection shall be reserved for grants under paragraphs
23 (1) and (2) and of those amounts no more than 10 percent
24 may be used for grants under paragraph (2) and at least
25 25 percent of the funds shall be reserved for grants under

1 paragraphs (1) and (2) to units of local government with
2 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
6 with other Federal, State, and local law en-
7 forcement and regulatory agencies, to address
8 and document crime and disorder problems in-
9 cluding gangs and drug activities, firearms and
10 explosives-related incidents, and the illegal use
11 and possession of alcohol affecting or occurring
12 in or around an elementary or secondary
13 school;”;

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

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

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

24 “(H) to work with school administrators,
25 members of the local parent teacher associa-

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

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

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

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

22 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
23 1001(a)(11) of title I of the Omnibus Crime Control and
24 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(11)) is
25 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 2004;

8 “(ii) \$1,150,000,000 for fiscal year
9 2005;

10 “(iii) \$1,150,000,000 for fiscal year
11 2006;

12 “(iv) \$1,150,000,000 for fiscal year
13 2007;

14 “(v) \$1,150,000,000 for fiscal year
15 2008; and

16 “(vi) \$1,150,000,000 for fiscal year
17 2009.”; 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).”.

○