

112TH CONGRESS  
1ST SESSION

# S. 207

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.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2011

Mr. KOHL (for himself, Mrs. FEINSTEIN, Mr. DURBIN, Mr. LEAHY, Mr. REID, Mr. LAUTENBERG, Mrs. BOXER, Mr. WHITEHOUSE, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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 2011”.

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—

1 (1) by striking subsection (c);

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

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

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

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

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

16 “(A) appointed by the Attorney General;  
17 and

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

21 “(b) GRANT AUTHORIZATION.—The Attorney Gen-  
22 eral shall carry out grant programs under which the Attor-  
23 ney General makes grants to States, units of local govern-  
24 ment, Indian tribal governments, other public and private  
25 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 “COMMUNITY  
6 POLICING AND CRIME PREVENTION GRANTS”;

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

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

12 (D) by striking paragraph (9);

13 (E) by redesignating paragraphs (5)  
14 through (8) as paragraphs (6) through (9), re-  
15 spectively;

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

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

24 (G) by striking paragraph (13);

1 (H) by redesignating paragraphs (14),  
2 (15), and (16) as paragraphs (13), (14), and  
3 (15), respectively;

4 (I) in paragraph (15), as so redesignated,  
5 by striking “and” at the end;

6 (J) by redesignating paragraph (17) as  
7 paragraph (18);

8 (K) by inserting after paragraph (15), as  
9 so redesignated, the following:

10 “(16) establish and implement innovative pro-  
11 grams to reduce and prevent illegal drug manufac-  
12 turing, distribution, and use, including the manufac-  
13 turing, distribution, and use of methamphetamine;  
14 and

15 “(17) award enhancing community policing and  
16 crime prevention grants that meet emerging law en-  
17 forcement needs, as warranted.”; and

18 (L) in paragraph (18), as so redesignated,  
19 by striking “through (16)” and inserting  
20 “through (17)”;

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

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

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

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

3           “(d) TROOPS-TO-COPS PROGRAMS.—

4           “(1) IN GENERAL.—Grants made under sub-  
5 section (b) may be used to hire former members of  
6 the Armed Forces to serve as career law enforce-  
7 ment officers for deployment in community-oriented  
8 policing, particularly in communities that are ad-  
9 versely affected by a recent military base closing.

10           “(2) DEFINITION.—In this subsection, ‘former  
11 member of the Armed Forces’ means a member of  
12 the Armed Forces of the United States who is invol-  
13 untarily separated from the Armed Forces within  
14 the meaning of section 1141 of title 10, United  
15 States Code.

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

20           “(1) handle cases from specific geographic  
21 areas; and

22           “(2) address counter-terrorism problems, spe-  
23 cific violent crime problems (including intensive ille-  
24 gal gang, gun, and drug enforcement and quality of  
25 life initiatives), and localized violent and other crime

1 problems based on needs identified by local law en-  
2 forcement agencies, community organizations, and  
3 others.

4 “(f) TECHNOLOGY GRANTS.—The Attorney General  
5 may make grants under subsection (b) to develop and use  
6 new technologies (including interoperable communications  
7 technologies, modernized criminal record technology, and  
8 forensic technology) to assist State and local law enforce-  
9 ment agencies in reorienting the emphasis of their activi-  
10 ties from reacting to crime to preventing crime and to  
11 train law enforcement officers to use such technologies.”;

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

13 (A) in paragraph (1), by striking “to  
14 States, units of local government, Indian tribal  
15 governments, and to other public and private  
16 entities,”;

17 (B) in paragraph (2), by striking “define  
18 for State and local governments, and other pub-  
19 lic and private entities,” and inserting “estab-  
20 lish”; and

21 (C) in the first sentence of paragraph (3),  
22 by inserting “(including regional community po-  
23 licing institutes)” after “training centers or fa-  
24 cilities”;

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

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

4 (B) by striking “in each fiscal year pursu-  
5 ant to subsection (a)” and inserting “in each  
6 fiscal year for purposes described in paragraph  
7 (1) and (2) of subsection (c)”;

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

9 (A) by striking “subsection (a)” and in-  
10 sserting “subsection (b)”;

11 (B) by striking the second sentence;

12 (12) in subsection (k)(1), as so redesignated—

13 (A) by striking “subsection (i) and”;

14 (B) by striking “subsection (b)” and in-  
15 sserting “subsection (c)”;

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

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

1       “(n) PROPORTIONALITY OF AWARDS.—The Attorney  
2 General shall ensure that the same percentage of the total  
3 number of eligible applicants in each State receive a grant  
4 under this section.”.

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

8             (1) in subsection (c)—

9                 (A) in the matter preceding paragraph (1),  
10                 by inserting “, unless waived by the Attorney  
11                 General” after “under this part shall”;

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

13                 (C) by redesignating paragraphs (9)  
14                 through (11) as paragraphs (8) through (10),  
15                 respectively; and

16             (2) by striking subsection (d).

17       (c) RENEWAL OF GRANTS.—Section 1703 of title I  
18 of the Omnibus Crime Control and Safe Streets Act of  
19 1968 (42 U.S.C. 3796dd–2) is amended to read as follows:

20       **“SEC. 1703. RENEWAL OF GRANTS.**

21       “(a) IN GENERAL.—A grant made under this part  
22 may be renewed, without limitations on the duration of  
23 such renewal, to provide additional funds, if the Attorney  
24 General determines that the funds made available to the  
25 recipient were used in a manner required under an ap-



1 proved application and if the recipient can demonstrate  
2 significant progress in achieving the objectives of the ini-  
3 tial application.

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

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

12 (1) in subsection (a), by striking “that would,  
13 in the absence of Federal funds received under this  
14 part, be made available from State or local sources”  
15 and inserting “that the Attorney General determines  
16 would, in the absence of Federal funds received  
17 under this part, be made available for the purpose  
18 of the grant under this part from State or local  
19 sources”; and

20 (2) by striking subsection (c).

21 (e) ENFORCEMENT ACTIONS.—Section 1706 of title  
22 I of the Omnibus Crime Control and Safe Streets Act of  
23 1968 (42 U.S.C. 3796dd–5) is amended—

1 (1) in the section heading, by striking “**REV-**  
2 **OCATION OR SUSPENSION OF FUNDING**” and in-  
3 sserting “**ENFORCEMENT ACTIONS**”; and

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

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

10 (1) by striking “who is authorized” and insert-  
11 ing “who is a sworn law enforcement officer and is  
12 authorized”; and

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

16 (g) 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) in subparagraph (A), by striking  
21 “\$1,047,119,000 for each of fiscal years 2006  
22 through 2009” and inserting “\$900,000,000 for  
23 each of fiscal years 2012 through 2017”; and

24 (2) in subparagraph (B)—

25 (A) in the first sentence—

1 (i) by striking “3 percent” and insert-  
2 ing “5 percent”; and

3 (ii) by striking “section 1701(d)” and  
4 inserting “section 1701(g)”; and

5 (B) by striking the second sentence and in-  
6 serting the following: “Of the funds available  
7 for grants under part Q, not less than  
8 \$500,000,000 shall be used for grants for the  
9 purposes specified in section 1701(c), not more  
10 than \$150,000,000 shall be used for grants  
11 under section 1701(e), and not more than  
12 \$250,000,000 shall be used for grants under  
13 section 1701(f).”.

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

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

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

21 (i) COPS PROGRAM IMPROVEMENTS.—

22 (1) IN GENERAL.—Section 109(b) of title I of  
23 the Omnibus Crime Control and Safe Streets Act of  
24 1968 (42 U.S.C. 3712h(b)) is amended—

25 (A) by striking paragraph (1);

1           (B) by redesignating paragraphs (2) and  
2           (3) as paragraphs (1) and (2), respectively; and  
3           (C) in paragraph (2), as so redesignated,  
4           by inserting “, except for the program under  
5           part Q of this title” before the period.

6           (2) LAW ENFORCEMENT COMPUTER SYS-  
7           TEMS.—Section 107 of title I of the Omnibus Crime  
8           Control and Safe Streets Act of 1968 (42 U.S.C.  
9           3712f) is amended by adding at the end the fol-  
10          lowing:

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

○