

117TH CONGRESS
2D SESSION

H. R. 6448

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2022

Received

AN ACT

To direct the Director of the Office of Community Oriented Policing Services of the Department of Justice to carry out a grant program to provide assistance to police departments with fewer than 200 law enforcement officers, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Invest to Protect Act
3 of 2022”.

4 **SEC. 2. GRANT PROGRAM.**

5 (a) DEFINITIONS.—In this Act:

6 (1) DE-ESCALATION TRAINING.—The term “de-
7 escalation training” means training relating to tak-
8 ing action or communicating verbally or non-verbally
9 during a potential force encounter in an attempt to
10 stabilize the situation so that more time, options,
11 and resources can be called upon to minimize the
12 need for the use of force and increase the likelihood
13 of voluntary compliance, including persuasion, warn-
14 ings, creating space, use of physical barriers, slowing
15 down the pace of an incident, and requesting addi-
16 tional resources.

17 (2) DIRECTOR.—The term “Director” means
18 the Director of the Office.

19 (3) ELIGIBLE LOCAL GOVERNMENT.—The term
20 “eligible local government” means—

21 (A) a county, municipality, town, township,
22 village, parish, borough, or other unit of general
23 government below the State level that employs
24 fewer than 125 law enforcement officers; or

25 (B) a Tribal government that employs
26 fewer than 125 law enforcement officers.

1 (4) LAW ENFORCEMENT OFFICER.—The term
2 “law enforcement officer” has the meaning given the
3 term “career law enforcement officer” in section
4 1709 of title I the Omnibus Crime Control and Safe
5 Streets Act of 1968 (34 U.S.C. 10389).

6 (5) OFFICE.—The term “Office” means the Of-
7 fice of Community Oriented Policing Services of the
8 Department of Justice.

9 (b) ESTABLISHMENT.—There is established within
10 the Office a grant program to—

11 (1) provide training and access to mental health
12 resources to local law enforcement officers; and

13 (2) improve the recruitment and retention of
14 local law enforcement officers.

15 (c) AUTHORITY.—Not later than 120 days after the
16 date of enactment of this Act, the Director shall award
17 grants to eligible local governments as a part of the grant
18 program established under subsection (b).

19 (d) APPLICATIONS.—

20 (1) BARRIERS.—The Attorney General shall de-
21 termine what barriers exist to establishing a stream-
22 lined application process for grants under this sec-
23 tion.

24 (2) REPORT.—

1 (A) IN GENERAL.—Not later than 60 days
2 after the date of enactment of this Act, the At-
3 torney General shall submit to Congress a re-
4 port that includes a plan to execute a stream-
5 lined application process for grants under this
6 section under which an eligible local government
7 seeking a grant under this section can reason-
8 ably complete the application in not more than
9 2 hours.

10 (B) CONTENTS OF PLAN.—The plan re-
11 quired under subparagraph (A) may include a
12 plan for—

13 (i) proactively providing eligible local
14 governments seeking a grant under this
15 section with information on the data such
16 eligible local governments will need to pre-
17 pare before beginning the grant applica-
18 tion; and

19 (ii) ensuring technical assistance is
20 available for eligible local governments
21 seeking a grant under this section before
22 and during the grant application process,
23 including through dedicated liaisons within
24 the Office.

1 (3) APPLICATIONS.—In selecting eligible local
2 governments to receive grants under this section, the
3 Director shall use the streamlined application proc-
4 ess described in paragraph (2)(A).

5 (4) PREFERENCE.—The Attorney General may
6 give preference to applicants who specify in their ap-
7 plications that grant amounts will be used for the el-
8 igible activities set forth in paragraphs (1), (2), (3),
9 (4), (9), and (10) of subsection (e).

10 (e) ELIGIBLE ACTIVITIES.—An eligible local govern-
11 ment that receives a grant under this section may use
12 amounts from the grant only for—

13 (1) de-escalation training for law enforcement
14 officers;

15 (2) victim-centered training for law enforcement
16 officers in handling situations of domestic violence;

17 (3) evidence-based law enforcement safety
18 training for response to calls for service involving—

19 (A) persons with substance use disorders;

20 (B) persons with mental health needs;

21 (C) veterans;

22 (D) persons with disabilities;

23 (E) vulnerable youth;

24 (F) persons who are victims of domestic vi-
25 olence, sexual assault, or trafficking; and

1 (G) persons experiencing homelessness or
2 living in poverty;

3 (4) the offsetting of overtime costs associated
4 with scheduling issues relating to the participation
5 of a law enforcement officer in the training de-
6 scribed in paragraphs (1) through (3), (9) and (10);

7 (5) a signing bonus for a law enforcement offi-
8 cer in an amount determined by the eligible local
9 government;

10 (6) a retention bonus for a law enforcement of-
11 ficer—

12 (A) in an amount determined by the eligi-
13 ble local government that does not exceed 20
14 percent of the salary of the law enforcement of-
15 ficer; and

16 (B) who—

17 (i) has been employed at the law en-
18 forcement agency for not fewer than 5
19 years;

20 (ii) has not been found by an internal
21 investigation to have engaged in serious
22 misconduct; and

23 (iii) commits to remain with the law
24 enforcement agency for a minimum 3 years
25 from the time of receipt of the bonus;

1 (7) a stipend for the graduate education of law
2 enforcement officers in the area of mental health,
3 public health, or social work, which shall not exceed
4 the lesser of—

5 (A) \$10,000; or

6 (B) the amount the law enforcement offi-
7 cer pays towards such graduate education;

8 (8) providing access to patient-centered behav-
9 ioral health services for law enforcement officers,
10 which may include resources for risk assessments,
11 evidence-based, trauma-informed care to treat post-
12 traumatic stress disorder or acute stress disorder,
13 peer support and counselor services and family sup-
14 ports, and the promotion of improved access to high
15 quality mental health care through telehealth;

16 (9) implementation of evidence-based best prac-
17 tices and training on the use of lethal and nonlethal
18 force;

19 (10) implementation of evidence-based best
20 practices and training on the duty of care and the
21 duty to intervene; and

22 (11) data collection for police practices regard-
23 ing officer and community safety.

24 (f) REPORTING REQUIREMENTS FOR GRANT RECIPI-
25 ENTS.—

1 (1) IN GENERAL.—The Director shall establish
2 reporting requirements for eligible local government
3 that receive a grant under this section in order to
4 assist with the evaluation by the Office of the pro-
5 gram established under this section.

6 (2) CONSIDERATIONS.—In establishing any re-
7 quirements under paragraph (1), the Director shall
8 consider the capacity of law enforcement agencies
9 with fewer than 125 officers to collect and report in-
10 formation.

11 (g) DISCLOSURE OF OFFICER RECRUITMENT AND
12 RETENTION BONUSES.—

13 (1) IN GENERAL.—Not later than 60 days after
14 the date on which an eligible local government that
15 receives a grant under this section awards a signing
16 or retention bonus described in paragraph (5) or (6)
17 of subsection (e), the eligible local government shall
18 disclose to the Director and make publicly available
19 on a website of the eligible local government the
20 amount of such bonus.

21 (2) REPORT.—The Attorney General shall sub-
22 mit to the appropriate congressional committees an
23 annual report that includes each signing or retention
24 bonus disclosed under paragraph (1) during the pre-
25 ceding year.

1 (h) GRANT ACCOUNTABILITY.—All grants awarded
2 by the Director under this section shall be subject to the
3 following accountability provisions:

4 (1) AUDIT REQUIREMENT.—

5 (A) DEFINITION.—In this paragraph, the
6 term “unresolved audit finding” means a find-
7 ing in the final audit report of the Inspector
8 General of the Department of Justice that the
9 audited grantee has used grant funds for an
10 unauthorized expenditure or otherwise unallow-
11 able cost that is not closed or resolved within
12 12 months from the date when the final audit
13 report is issued.

14 (B) AUDITS.—Beginning in the first fiscal
15 year beginning after the date of enactment of
16 this subsection, and in each fiscal year there-
17 after, the Inspector General of the Department
18 of Justice shall conduct audits of recipients of
19 grants under this section to prevent waste,
20 fraud, and abuse of funds by grantees. The In-
21 spector General of the Department of Justice
22 shall determine the appropriate number of
23 grantees to be audited each year.

24 (C) MANDATORY EXCLUSION.—A recipient
25 of grant funds under this section that is found

1 to have an unresolved audit finding shall not be
2 eligible to receive grant funds under this section
3 during the first 3 fiscal years beginning after
4 the end of the 12-month period described in
5 subparagraph (A).

6 (D) REIMBURSEMENT.—If an eligible local
7 government is awarded grant funds under this
8 section during the 3-fiscal-year period during
9 which the eligible local government is barred
10 from receiving grants under subparagraph (C),
11 the Attorney General shall—

12 (i) deposit an amount equal to the
13 amount of the grant funds that were im-
14 properly awarded to the grantee into the
15 General Fund of the Treasury; and

16 (ii) seek to recoup the costs of the re-
17 payment to the fund from the grant recipi-
18 ent that was erroneously awarded grant
19 funds.

20 (2) ANNUAL CERTIFICATION.—Beginning in the
21 fiscal year during which audits commence under
22 paragraph (1)(B), the Attorney General shall submit
23 to the Committee on the Judiciary and the Com-
24 mittee on Appropriations of the Senate and the
25 Committee on the Judiciary and the Committee on

1 Appropriations of the House of Representatives an
2 annual certification—

3 (A) indicating whether—

4 (i) all audits issued by the Office of
5 the Inspector General of the Department
6 of Justice under paragraph (1) have been
7 completed and reviewed by the appropriate
8 Assistant Attorney General or Director;

9 (ii) all mandatory exclusions required
10 under paragraph (1)(C) have been issued;
11 and

12 (iii) all reimbursements required
13 under paragraph (1)(E) have been made;
14 and

15 (B) that includes a list of any grant recipi-
16 ents excluded under paragraph (1) from the
17 previous year.

18 (i) PROGRAM EVALUATION.—The Attorney General
19 shall, on an annual basis, conduct analyses of the informa-
20 tion provided by grant recipients pursuant to subsection
21 (f) to evaluate the efficacy of training programs funded
22 through the grant program established by this Act in re-
23 ducing the incidence of use of force by the law enforcement
24 agency.

25 (j) PREVENTING DUPLICATIVE GRANTS.—

1 (1) IN GENERAL.—Before the Director awards
2 a grant to an eligible local government under this
3 section, the Attorney General shall compare poten-
4 tial grant awards with other grants awarded by the
5 Attorney General to determine if grant awards are
6 or have been awarded for a similar purpose.

7 (2) REPORT.—If the Attorney General awards
8 grants to the same applicant for a similar purpose,
9 whether through the grant program established by
10 this Act or other grant programs provided by the
11 Department of Justice, the Attorney General shall
12 submit to the Committee on the Judiciary of the
13 Senate and the Committee on the Judiciary of the
14 House of Representatives a report that includes—

15 (A) a list of all such grants awarded, in-
16 cluding the total dollar amount of any such
17 grants awarded; and

18 (B) the reason the Attorney General
19 awarded multiple grants to the same applicant
20 for a similar purpose.

21 (k) FUNDING.—

22 (1) IN GENERAL.—There is authorized to be
23 appropriated \$60,000,000 for each of fiscal years
24 2023 through 2027 to carry out the grant program
25 under this section.

Attest: **CHERYL L. JOHNSON,**
Clerk.

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