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SUBJECT: Overtime Issues Related to Crime Bill's "The Public Safety Partnership and Community Policing Act"

Introduction

A number of mayors and police chiefs have been lobbying for the Administration to support an amendment to the crime bill to permit the expenditure of police hiring/rehiring funds for overtime. The Attorney General is on record as having promised to look into the issue.

During recent discussions of the crime bill with White House staff, Justice Department personnel suggested one option might be to support a compromise proposal authorizing the use of a limited amount of the hiring grant funds to support overtime as an interim measure to help "bridge" the gap between the award of a police hiring grants and a jurisdiction's actual deployment of new officers. We were encouraged to develop such a compromise proposal as well as an analysis of its impact on the Administration's ability to reach the goal of putting up to 100,000 more police on the street. However, it was clear that White House staff would prefer not to raise publically the idea of a compromise until and unless absolutely necessary.

As you may recall, the Administration previously agreed to make overtime an allowable expense under the "Additional Grant Projects" section of the community policing grants program. As the bill is presently drafted in both the House and Senate versions, 85% of the authorized funds will be allocated to police hiring/rehiring grants and 15% to grants to support other related

programs or activities. Hence, 15% of the authorized funds would be potentially available for overtime related to special projects, training or other community policing related activities. Under the current formulation jurisdictions seeking funds for overtime and not hiring/rehiring assistance would be limited to applying for grants under this section.

The options considered in effort to formulate a practical and politically viable compromise are discussed below. Legislative language necessary to implement the preferred version of the requested compromise proposal is being drafted.

The Compromise "Bridge Proposal"

Since it is not unusual for the process of selecting recruits, doing background checks, and training to take at least six months, the compromise "bridge proposal" would allow some portion of the money for new hires to pay for overtime as an interim measure -- a "bridge" until new, fully trained officers are deployed. Until then, overtime money could be used to finance a rapid expansion of the effective number of officers on our streets. This proposal would create an overall net reduction in total hires in order to rapidly increase police presence on a short-term basis.

The following detailed discussion and recommendations are based upon limited consultation with mayors and policing experts as well as a preliminary review of the relevant literature. We advise further consultation with selected mayors regarding the specifics of our preferred approach before any public offering of the possible compromise but felt constrained from doing so at this time.

Please note that all estimates contained herein assume full funding of the \$8.9 billion authorization level in the Senate bill.

Background and Policy Issues

Frequent use of overtime is common practice in almost all police departments across the United States. It is not unusual for overtime expenses to be 10-15 percent of total personnel costs. In addition to court appearances and civil disturbances, the justification for overtime often derives from some special project or task force. These projects could include staffing for a community policing initiative, a gang unit, or almost any other legitimate police activity. The lure of overtime for staffing special initiatives seems almost irresistible. It offers management instant flexibility to respond to a crisis, test a new approach, or meet unexpected community demands. A measure of overtime's lure is the apparent lack of correlation between the extent of its use and the ratio of officers to citizens. Extensive overtime use prevails among the well staffed and not-so-well staffed, large and small, as well as high and low crime

jurisdictions. Overtime appeals to management and line for different reasons. For many experienced officers, overtime becomes an expected source of additional income. Pressure for more overtime flows from bottom to top as well as top to bottom.

The following advantages and disadvantages could be ascribed to the adoption of a compromise "bridge proposal":

Benefits

- o Immediate impact. Overtime deployments can be done very quickly to increase police presence and reduce crime and the fear of crime.
- o Experience. Most officers selected for overtime work have a high level of experience.
- o Flexibility. Since almost all departments have rules and systems that govern overtime, assignments can be made and modified within existing organizational structures.

Drawbacks

- o Unintended consequences. Normally, the bulk of overtime is spent on administrative matters such as booking and court appearances. Because many agencies are not already engaged in community policing, overtime will tend to be used for drug enforcement, gang suppression, and other activities typically associated with high arrest rates, thus creating more court time and still more overtime. This may not have a measurable short-term impact on public safety and may not facilitate effective implementation of community policing.
- o Abuse. The availability of additional overtime funds may encourage abuse or manipulation of the system. It is not uncommon for arrests to be "timed" for the end of a shift or before days off. Teams sometimes "share" arrests in order to spread overtime money around. Those that volunteer for overtime may be motivated more by money than by a sense of community pride. The derisive term "bounty hunter" is common in many urban departments. There are clear risks to using such officers to launch, or even expand, a community policing effort.
- o Safety. Most departments have few or inadequate rules about minimum time between shifts. In NYC, for example, it is only four hours. In Minneapolis, overtime-funded crack teams became so fatigued that supervisors had to limit assignments because of sub-par performance and increased risks.
- o Saturation. With the current, widespread use of overtime,

it is not clear that an adequate pool of officers exists who are both properly motivated and not currently working overtime. Overtime appeals equally to bounty hunters and dedicated officers. Although there would be more "cop-hours" on the street, availability and quality are valid concerns.

- o 100,000 cops. Money spent for overtime cannot be used to pay the salaries of new officers, most of whom will be picked up by local jurisdictions as grant funds expire. In a zero-sum environment, this is a questionable short-term gain at the direct expense of a long-term goal. A more detailed analysis of this problem will be presented shortly.

Straight Salary v. Overtime

One suggestion was that overtime might be less expensive than straight salary. Here is that comparison.

Straight salary: Using 1992 national data, the average entry-level salary is \$23,500 x 1.33 (fringe) = \$31,255. With the federal share at 75%, the annual cost per officer would be \$23,441.

Overtime: Using the same salary base plus the 50% overtime differential, the annual cost would be \$35,250. If the federal share were only 50%, the net cost per year would be \$17,625 - an apparent savings of \$5,816.

Defects in this comparison:

1. Overtime would be paid on a range of salaries weighted more toward experienced officers than rookies. The third quartile for experienced officer salaries in 1992 was \$36,800 (in contrast to \$23,500).
2. Except for some of the smaller, non-union police departments, pension and other benefits are paid or accrued on overtime, thus substantially raising costs.
3. Federal funding at 75% for new officers, but only a 50% match on overtime, would be inconsistent, cumbersome, and unrealistic.

Overtime Cost Estimates

A range of options and outcomes are possible if the Crime Bill is amended to permit funding of overtime in lieu of hiring new officers. This analysis estimates a "maximum" number of officers that could be hired if no funds were used for overtime and a "minimum" number of officers if every grant recipient used

overtime until its new hires are deployed. In reality, some grant recipients will not use grant funds for overtime, while others may fund some overtime. Consequently, we have developed three alternative options that lie between these maximum and minimum estimates.

The attached spreadsheet indicates that use of Senate Crime Bill funds to pay overtime salaries (excluding benefits) of experienced police officers until newly hired officers are selected, trained, and deployed, would dramatically reduce funding available for hiring. After subtracting funding earmarked for technical assistance (5%), state administration (5%), and other purposes of the bill (13.5%), approximately \$6.882 billion would be available for hiring police officers. Assuming the Federal grant amount is \$75,000 per officer, over a three-year period, this would fund 91,749 officers. This is the "maximum" estimate of new officers that could be hired with Crime Bill funds, and comes closest to fulfilling the President's pledge. At the funding levels specified for the five years covered by the bill, it would fund 10,557 officers in year 1; 17,544 in year 2; 21,114 in year 3; 23,154 in year 4; and 19,380 in year 5.

If all grant recipients were allowed to use grant funds for a six-month period to pay experienced officers at overtime salaries (150%) to increase officer deployment to equivalent staffing levels available once new officers are trained and deployed, it would cost an estimated \$1.8997 billion over the five years of the program. At \$75,000 per officer, this would pay for 25,330 new officers at entry-level salaries and would represent a 28% reduction in the actual number of officers that could be hired from 91,749 to 66,419. This is the "minimum" estimate of new officers hired if the Crime Bill authorizes funds for overtime salaries.

This real "loss" in new officers hired could be offset somewhat "on paper" by calculating the number of FTE officers funded with overtime salaries. The estimate assumes 91,749 FTEs were funded for six-month periods, which equates to 15,292 FTEs over a three-year grant period. Counting FTEs would decrease the number of new officers "lost" from 25,330 to 10,038, an 11% reduction in police officers that could be hired. Of course, because none of these FTE officers could be "retained" by grantees after the grant period, the real long-term loss in officers hired would remain 25,330 (or 28%).

Alternative options for reducing the number of new officers "lost" through funding overtime salaries are discussed below.

Twenty-five Percent Option

The overall reduction in new officers could be mitigated by

limiting the use of Crime Bill funds to pay for overtime salaries equivalent to 25% rather than 100% of the new officers to be hired. This would cost an estimated \$475 million and reduce the total number of officers that could be hired by 6,332 (7%).

First Year Option

The overall reduction in new officers could be mitigated by limiting the use of Crime Bill funds for overtime salaries to only those jurisdictions that receive grants in the first year of the program rather than during all five years. Presumably, jurisdictions with the most severe crime problems and need for program funds to pay for overtime during the interim period are most likely to receive grants in the program's first year. This would cost an estimated \$219 million and reduce the total number of new officers that could be hired by 2,915 (3%).

Repayment Option

The overall reduction in new officers could be mitigated by limiting the use of Crime Bill funds to pay for overtime salaries equivalent to 10% rather than 100% of the new officers to be hired. This would cost an estimated \$190 million and reduce the number of officers that could be hired by 2,533 (3%). Because the cost of this option is relatively modest, we could require the grant recipient to "repay" by the end of the grant period those funds used for overtime salaries with an equivalent increase in the local share contribution. The increased local share then could pay for the salaries and benefits of the officers "lost" due to funding of overtime salaries. Under this option, the ultimate number of new officers hired would not be reduced at all.

Recommendation

We do not favor authorizing the use of police hiring funds to pay for overtime salaries. Although such action might yield short-term benefits, it would be at the expense of fulfilling the long-term goal of hiring 100,000 police officers, most of whom would be retained by local governments. If the bill authorizes payments for overtime, we advocate the flexibility and greater political viability of the "repayment" option. We do not believe that the first year only option to be politically viable. Either, however, would permit the use of some program funds for overtime while maximizing the number of new officers hired.

Attachment

SCENARIO ONE: 100% OVERTIME FUNDING OF ALL POSITIONS -- SUMMARY

Assumptions:

- (1) Federal gov't provides \$75,000 per officer over grant period.
- (2) Federal gov't funds overtime cost for 100% of officers to be hired with grant monies @ 150% salary for an experienced officer (excluding benefits).
- (3) The annual salary for an experienced officer = \$36,810. This represents the 75 percentile salary for experienced officers reported in the Sourcebook of Criminal Justice Statistics, 1992.
- (4) Federal gov't funds 75% of overtime costs per officer.
- (5) Overtime expenses will be paid for a six-month period, after which newly hired/rehired police officers will replace officers funded by overtime pay.

Actual Reduction in New Police Positions Because of Overtime Costs:

	2,915 (Net loss of new police hires/rehires in FY 1)
	4,843 (Net loss of new police hires/rehires in FY 2)
	5,829 (Net loss of new police hires/rehires in FY 3)
	6,392 (Net loss of new police hires/rehires in FY 4)
+	5,350 (Net loss of new police hires/rehires in FY 5)
=	25,330 (Total reduction in new police hires/rehires)
	91,749 (maximum number of police officers hired/rehired)
-	25,330 (Total reduction in new police hires/rehires)
	66,419 (Reduced total number police officers hired/rehired)
	27.6% (Pct. reduction in police officers hired/rehired)

Hypothetical Reduction in New Police Positions with Overtime "FTEs":

Overtime Expenses	FTE Officers Funded - 6 mos.
\$218,589,283	10,557
\$363,259,485	17,544
\$437,178,566	21,114
\$479,418,041	23,154
\$401,275,013	19,380
\$1,899,720,388	91,749
/ 75,000	0.17 (FTE funding @ 1/6 of 3 yr. program)
25,330	15,292
25,330 (New Hires Foregone in lieu of Overtime Pay)	
15,292 (Hypothetical 3 yr. FTE funded with Overtime Pay)	
10,038 (Hypothetical reduction in police officers hired due to difference in O.T. and entry-level salaries)	
	reduction in police officers hired/rehired)

SCENARIO ONE: 100% OVERTIME FUNDING OF ALL POSITIONS IN FIRST YEAR

	\$8,995,000,000	(Senate crime bill funding authorization)
-	\$899,500,000	(.05 Tech. Ass't + .05 State Admin.)

	\$8,095,500,000	
x	0.85	(min. proportion for hiring/rehiring police officers)

	\$6,881,175,000	(actual amount for hiring/rehiring police officers)
/	\$75,000	(.75 of \$100,000 avg. salary & benefits for 3 years)

	91,749	(maximum number of police officers hired/rehired)
	=====	
	\$1,035,000,000	(total funding for first fiscal year of program)
-	\$103,500,000	(.05 Tech. Ass't + .05 State Admin.)

	\$931,500,000	
x	0.85	(min. proportion for hiring/rehiring police officers)

	\$791,775,000	(actual amount for hiring/rehiring police officers)
/	\$75,000	(.75 of \$100,000 avg. salary & benefits for 3 years)

	10,557	(maximum number of police officers hired/rehired)
	=====	
	\$36,810	(annual salary for experienced officer)
	\$55,215	(150% Overtime Pay @ salary only)
	0.75	(Federal contribution for overtime pay)

	\$41,411	
	=====	
	1st Six Months Overtime	
	\$20,706	(6 month overtime pay @ entry-level salary)
x	10,557	(maximum number of police officers hired/rehired)

	\$218,589,283	(total Federal funding of overtime pay)
	=====	
	Remainder of Program: New Hires	
	\$791,775,000	(actual amount for hiring/rehiring police officers)
-	\$218,589,283	(total Federal funding of overtime pay)

	\$573,185,717	(remaining amount for hiring/rehiring police officers)
/	\$75,000	(.75 of \$100,000 avg. salary & benefits for 3 years)

	7,642	(Number of police officers hired/rehired in FY 1)

	10,557	(maximum number of police officers hired/rehired)
/	7,642	(Reduced number of police officers hired/rehired)

	2,915	(Net loss of new police hires/rehires in FY 1)

SCENARIO ONE: 100% OVERTIME FUNDING OF ALL POSITIONS IN SECOND YEAR

	\$1,720,000,000	(total funding for fiscal year)
-	\$172,000,000	(.05 Tech. Ass't + .05 State Admin.)

x	\$1,548,000,000	
	0.85	(min. proportion for hiring/rehiring police officers)

	\$1,315,800,000	(actual amount for hiring/rehiring police officers)
/	\$75,000	(.75 of \$100,000 avg. salary & benefits for 3 years)

	17,544	(maximum number of police officers hired/rehired)
	=====	
	\$36,810	(annual salary for experienced officer)
	\$55,215	(150% Overtime Pay @ salary only)
	0.75	(Federal contribution for overtime pay)

	\$41,411	
	=====	
	1st Six Months Overtime	
	\$20,706	(6 month overtime pay @ entry-level salary)
x	17,544	(maximum number of police officers hired/rehired)

	\$363,259,485	(total Federal funding of overtime pay)
	=====	
	Remainder of Program: New Hires	
	\$1,315,800,000	(actual amount for hiring/rehiring police officers)
-	\$363,259,485	(total Federal funding of overtime pay)

	\$952,540,515	(remaining amount for hiring/rehiring police officers)
/	\$75,000	(.75 of \$100,000 avg. salary & benefits for 3 years)

	12,701	(Number of police officers hired/rehired in FY 2)
	17,544	(maximum number of police officers hired/rehired)
/	12,701	(Reduced number of police officers hired/rehired)

	4,843	(Net loss of new police hires/rehires in FY 2)

SCENARIO ONE: 100% OVERTIME FUNDING OF ALL POSITIONS IN THIRD YEAR

\$2,070,000,000 (total funding for fiscal year)
 - \$207,000,000 (.05 Tech. Ass't + .05 State Admin.)

 \$1,863,000,000
 x 0.85 (min. proportion for hiring/rehiring police officers)

 \$1,583,550,000 (actual amount for hiring/rehiring police officers)
 / \$75,000 (.75 of \$100,000 avg. salary & benefits for 3 years)

 21,114 (maximum number of police officers hired/rehired)

 \$36,810 (150% Overtime Pay @ salary only)
 \$55,215 (150% Overtime Pay @ salary only)
 0.75 (Federal contribution for overtime pay)

\$41,411

1st Six Months Overtime

\$20,706 (6 month overtime pay @ entry-level salary)
 x 21,114 (maximum number of police officers hired/rehired)

 \$437,178,566 (total Federal funding of overtime pay)

Remainder of Program: New Hires

\$1,583,550,000 (actual amount for hiring/rehiring police officers)
 - \$437,178,566 (total Federal funding of overtime pay)

 \$1,146,371,434 (remaining amount for hiring/rehiring police officers)
 / \$75,000 (.75 of \$100,000 avg. salary & benefits for 3 years)

 15,285 (Number of police officers hired/rehired in FY 3)
 21,114 (maximum number of police officers hired/rehired)
 / 15,285 (Reduced number of police officers hired/rehired)

 5,829 (Net loss of new police hires/rehires in FY 3)

SCENARIO ONE: 100% OVERTIME FUNDING OF ALL POSITIONS IN FOURTH YEAR

\$2,270,000,000 (total funding for fiscal year)
 - \$227,000,000 (.05 Tech. Ass't + .05 State Admin.)

 \$2,043,000,000
 x 0.85 (min. proportion for hiring/rehiring police officers)

 \$1,736,550,000 (actual amount for hiring/rehiring police officers)
 / \$75,000 (.75 of \$100,000 avg. salary & benefits for 3 years)

 23,154 (maximum number of police officers hired/rehired)
 =====
 \$36,810 (annual salary for experienced officer)
 \$55,215 (150% Overtime Pay @ salary only)
 0.75 (Federal contribution for overtime pay)

 \$41,411
 =====

1st Six Months Overtime

\$20,706 (6 month overtime pay @ entry-level salary)
 x 23,154 (maximum number of police officers hired/rehired)

 \$479,418,041 (total Federal funding of overtime pay)
 =====

Remainder of Program: New Hires

\$1,736,550,000 (actual amount for hiring/rehiring police officers)
 - \$479,418,041 (total Federal funding of overtime pay)

 \$1,257,131,959 (remaining amount for hiring/rehiring police officers)
 / \$75,000 (.75 of \$100,000 avg. salary & benefits for 3 years)

 16,762 (Number of police officers hired/rehired in FY 4)
 23,154 (maximum number of police officers hired/rehired)
 / 16,762 (Reduced number of police officers hired/rehired)

 6,392 (Net loss of new police hires/rehires in FY 4)

SCENARIO ONE: 100% OVERTIME FUNDING OF ALL POSITIONS IN FIFTH YEAR

	\$1,900,000,000	(total funding for fiscal year)
-	\$190,000,000	(.05 Tech. Ass't + .05 State Admin.)

	\$1,710,000,000	
x	0.85	(min. proportion for hiring/rehiring police officers)

	\$1,453,500,000	(actual amount for hiring/rehiring police officers)
/	\$75,000	(.75 of \$100,000 avg. salary & benefits for 3 years)

	19,380	(maximum number of police officers hired/rehired)
	=====	
	\$36,810	(annual salary for experienced officer)
	\$55,215	(150% Overtime Pay @ salary only)
	0.75	(Federal contribution for overtime pay)

	\$41,411	
	=====	
1st Six Months Overtime		
	\$20,706	(6 month overtime pay @ entry-level salary)
x	19,380	(maximum number of police officers hired/rehired)

	\$401,275,013	(total Federal funding of overtime pay)
	=====	
Remainder of Program: New Hires		
	\$1,453,500,000	(actual amount for hiring/rehiring police officers)
-	\$401,275,013	(total Federal funding of overtime pay)

	\$1,052,224,988	(remaining amount for hiring/rehiring police officers)
/	\$75,000	(.75 of \$100,000 avg. salary & benefits for 3 years)

	14,030	(Number of police officers hired/rehired in FY 5)
	19,380	(maximum number of police officers hired/rehired)
/	14,030	(Reduced number of police officers hired/rehired)

	5,350	(Net loss of new police hires/rehires in FY 5)

Table 1.67

Entrance and maximum salaries, and mean number of years to reach maximum salary, for police officers in cities of 10,000 persons and over

By population group, geographic division, and metro status. United States, as of Jan. 1, 1992

	Entrance salary					Maximum salary					Number of years to reach maximum	
	Number of cities reporting	Mean	First quartile	Median	Third quartile	Number of cities reporting	Mean	First quartile	Median	Third quartile	Number of cities reporting	Mean
Total, all cities	1,342	\$23,821	\$19,881	\$23,546	\$27,132	1,320	\$31,891	\$26,568	\$31,240	\$36,810	1,071	6
Population group												
Over 1,000,000	3	29,411	24,754	28,163	28,163	3	38,408	33,716	34,498	34,498	3	7
500,000 to 1,000,000	6	24,510	21,973	23,000	26,688	6	34,508	32,414	33,660	37,224	6	4
250,000 to 499,999	18	24,086	21,012	22,727	26,586	18	34,358	30,726	32,364	37,850	17	10
100,000 to 249,999	71	25,929	21,151	23,875	28,806	70	33,288	29,512	33,877	41,084	57	8
50,000 to 99,999	166	26,389	22,000	25,752	29,861	165	35,138	29,980	33,805	40,448	146	6
25,000 to 49,999	387	24,882	20,320	24,844	29,536	304	32,871	27,708	32,739	37,326	245	6
10,000 to 24,999	711	22,791	19,222	22,782	25,311	754	30,366	25,288	29,841	34,618	597	6
Geographic division												
New England	124	24,912	22,591	24,700	27,363	122	30,414	27,192	29,619	32,991	108	4
Mid-Atlantic	158	25,524	22,650	25,304	28,546	159	37,183	32,000	36,491	41,636	148	5
East North Central	297	24,458	22,000	24,833	28,499	264	32,182	27,643	32,787	36,236	232	5
West North Central	135	22,152	19,000	22,000	24,991	131	29,596	24,624	29,008	33,540	108	7
South Atlantic	179	20,624	17,982	20,048	22,338	177	29,665	25,376	29,037	33,201	99	10
East South Central	65	18,017	16,660	17,964	19,212	62	24,348	21,700	23,792	27,298	38	9
West South Central	155	20,109	17,280	19,800	22,692	153	25,844	21,738	25,620	29,984	112	7
Mountain	88	22,481	19,416	22,247	25,848	77	32,172	28,309	32,010	35,858	58	8
Pacific Coast	178	31,773	27,678	32,618	35,688	175	39,583	34,058	41,064	44,352	169	4
Metro status												
Central	275	23,577	19,520	22,342	26,384	270	31,451	27,299	30,880	34,840	229	6
Suburban	738	25,714	22,000	25,233	28,821	723	34,636	29,902	34,390	39,000	583	5
Independent	337	20,317	17,730	19,700	22,836	327	28,141	23,088	25,688	29,078	258	7

Note: See Note, table 1.62. The "entrance salary" refers to salary paid during the first 12 months of employment with the department as a sworn police officer (excluding uniform allowances, holiday pay, or other additional compensation). The "maximum salary" refers to salary paid to personnel who do not hold any promotional rank (excluding uniform allowances, holiday pay, hazard pay, or any other additional compensation). The mean is calculated by dividing the total number of salaries into the total amount paid in salaries. The median is the salary that marks the point below which and above which 50 percent of all the salaries

fall. The first quartile salary is the salary below which 25 percent of all salaries fall; the third quartile salary is the salary below which 75 percent of all the salaries fall. For definitions of terms, a list of States in regions, and detail of survey response rates, see Appendix 2.

Source: Gerard J. Hoehner, "Police and Fire Personnel and Expenditures, 1992," *The Municipal Year Book 1993* (Washington, DC: International City/County Management Association, 1993), p. 154, Table 3/7. Reprinted by permission.

SUBJECT: Police Overtime Issues and the "Public Safety Partnership and Community Policing Act" Title of the Crime Bill

Background

A number of mayors and police chiefs have been lobbying for the Administration to support an amendment to the crime bill to permit the expenditure of police hiring/rehiring funds for overtime. The Attorney General is on record as having promised to look into the issue.

As you know, during recent discussions of the crime bill with White House staff, Justice Department personnel suggested one option might be to support a compromise proposal authorizing the use of a limited amount of the hiring grant funds to support overtime as an interim measure to help "bridge" the gap between the award of a police hiring grants and a jurisdiction's actual deployment of new officers. We were encouraged to develop such a compromise proposal as well as an analysis of its impact on the Administration's ability to reach the goal of putting up to 100,000 more police on the street. However, it was clear that White House staff would prefer not to raise publicly the idea of a compromise until and unless absolutely necessary.

At your request, the Crime Bill Policing Working Group has conducted a literature review on police overtime and related issues and is completing analysis of several compromise options and related legislative drafting. During the course of this work we have also selectively consulted with policing experts and mayors. A memorandum detailing our analysis, findings and recommendations will be finalized in the next day or two. Our key findings to date are summarized below:

Findings and Recommendations

While there is some policy and political appeal to using overtime to immediately increase police presence in jurisdictions receiving grant awards, even the most restrictive compromise proposal that we were able to develop would result in an overall and significant net reduction in total hires. While it would not be difficult to count the overtime dollars as buying expensive FTEs, doing so ultimately will decrease the likelihood of fulfilling the 100,000 hire promise. Spending hiring grant funds for overtime could also have a negative impact on effectively implementing community policing.

Our review has generally confirmed the Attorney General's instincts about how easily and frequently overtime is subject to abuse. However, properly managed limited overtime can be a cost-effective crime control tool. Under even the best of circumstances overtime must be extremely carefully monitored. It is quite common for overtime to represent 10-15% of a police agency's total personnel costs.

The compromise "bridge" proposal will not satisfy a number of mayors who simply want federal funds for overtime for presently employed personnel in lieu of assistance in hiring or rehiring additional officers. Other mayors who already have successfully used overtime to increase police presence while making new hires (e.g. Houston) would be pleased with the compromise.

I expect the Working Group to recommend support for the White House staff position that every effort be made to avoid making overtime an allowable expenditure under the 85% of funds authorized for the police hiring/rehiring grants.

It may be helpful to remember that payment of overtime is an authorized purpose in the policing title for the 15% of grant funds allocated primarily to non-hiring purposes, such as training, special projects, prevention programs or other community policing related activities.

bpc: Eldiz

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Facsimile Cover Sheet

of Pages: 3 (Including Cover Sheet)

TRANSMITTED TO:
NAME:

JOSE

FAX NUMBER:

456-7028

TELEPHONE NUMBER:

FROM:

Cora Beebe
Christopher Brown
Anita Ford
Ronald Jones
Louisa Koch

Brad Kyser
Lin Liu
Jeffrey Payne
Adrien Silas
Vernetta Tanner

SUBJECT/COMMENTS:

new!

Projecting Cop Estimates from Authorization Levels (Funding in Actual \$)

12-Oct
12:34 PM

Total Funding Available for Hires (Note: Using Senate Authorization Levels)	200,000,000	650,000,000	650,000,000	650,000,000	650,000,000	650,000,000	
	1994	1995	1996	1997	1998	1999	Total Officers
New Officers in 1994							
Available BA	200,000,000	133,333,333	66,666,667	0	0	0	
# of Cops funded	5,333						5,333
New Officers in 1995							
Available BA		516,666,667	344,444,444	172,222,222	0	0	
# of Cops funded		13,778					13,778
New Officers in 1996							
Available BA			238,888,889	159,259,259	79,629,630	0	
# of Cops funded			6,370				6,370
New Officers in 1997							
Available BA				318,518,519	212,345,679	106,172,840	
# of Cops funded				8,494			8,494
New Officers in 1998							
Available BA					358,024,691	238,683,128	
# of Cops funded					9,547		9,547
New Officers in 1998							
Available BA						305,144,033	
# of Cops funded						8,137	8,137

Scenario: Est. Using Senate Crime Bill Auth. Levels

Assumptions:

Total Spent Per Officer (by Fed)	\$50,000	Urban: =	xxx				
		Rural: =	xxx				
							\$1,660
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>		
% of Full Cost Funded Federally	0.75	0.5	0.25	0	0		
Ave. Annual Fed. Subsidy/Office	\$37,500	\$25,000	\$12,500	\$0	\$0		
							Sum of Fed. Cost Per Cop = \$75,000

* Assumes continuation of program through FY2001. Funding required for remainder of commitment to officers hired in FY1998 & FY1999.

Note: Does not account for FY1993 Police Hiring Supplemental resources (\$150M).

Projecting Cop Estimates from Authorization Levels
(Funding in Actual \$)

12-Oct
12:29 PM

Total Funding Available for Hires (Note: Using Senate Authorization Levels)	200,000,000	650,000,000	650,000,000	650,000,000	650,000,000	650,000,000	
	1994	1995	1996	1997	1998	1999	Total Officers
New Officers in 1994							
Available BA	200,000,000	133,333,333	66,666,667	0	0	0	
# of Cops funded	5,333						5,333
New Officers in 1995							
Available BA		516,666,667	344,444,444	172,222,222	0	0	
# of Cops funded		13,778					13,778
New Officers in 1996							
Available BA			238,888,889	159,259,259	79,629,630	0	
# of Cops funded			6,370				6,370
New Officers in 1997							
Available BA				318,518,519	212,345,679	106,172,840	
# of Cops funded				8,494			8,494
New Officers in 1998							
Available BA					358,024,691	358,024,691 *	
# of Cops funded					9,547		9,547
New Officers in 1998							
Available BA						185,802,469	
# of Cops funded						2,477 *	2,477

Scenario: Est. Using Senate Crime Bill Auth. Levels

Assumptions:						
Total Spent Per Officer (by Fed)	\$50,000	Urban: =	xxx			46,000
		Rural: =	xxx			
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	
% of Full Cost Funded Federally	0.75	0.5	0.25	0	0	Sum of Fed. Cost Per Cop
Ave. Annual Fed. Subsidy/Office	\$37,500	\$25,000	\$12,500	\$0	\$0	= \$75,000

* Assumes end of program in FY1999. No additional funding in FY2000 and beyond.

Note: Does not account for FY1993 Police Hiring Supplemental resources (\$150M).

Changing of the Guard at State

By Al Kamen
Washington Post Staff Writer

Heads snapped up at Foggy Bottom the other day as none other than Secretary of State **Warren Christopher** popped into the briefing room for a rare visit to extol the virtues of outgoing department spokesman **Richard Boucher**.

Christopher read a message from **President Clinton** praising Boucher, named to his post by Republicans, as "not only a friend but a trusted adviser." Christopher said he was helping Clinton find a new job for Boucher "consistent with and reflective of his very high talent."

The department's new spokesman, **Michael McCurry**, got high marks from reporters for content and preparation and showed early promise in the fine art of artful dodging.

"Is it true the president offered the ambassadorship in Japan to two different people?" a reporter asked, referring to reports that Clinton had offered the job to both former vice president **Walter F. Mondale** and longtime Asia hand **Richard Holbrooke**.

"That would be obviously something that you'd be well-advised to check at the White House," McCurry deftly parried amid general laughter.

One reporter complained that McCurry's first briefing had "gone all too smoothly," and pitched a fictitious curve asking about a tribal chief in Swaziland banning women from wearing trousers in public.

"In view of the secretary's upcoming trip to the human rights conference," a reporter asked, "does the U.S. consider the wearing of trousers by women to be a fundamental human right?"

"Attire and the appropriate attire . . . you will soon discover, from the ties I wear before you at this podium, is something that the department would probably best not take any official position on," McCurry responded.

Policy Waits for No Leader's Appointments

■ The Clinton administration, late in getting top policy people in place, is still resolving internal policy fights that should have been settled long ago, and some officials now worry that policy leadership in key areas is being ceded to Capitol Hill.

For example, a House Appropriations subcommittee recently took a chunk out of the Justice Department budget, half of which was going to fund Clinton's campaign pledge to put 100,000 more police officers on the nation's streets.

The reason for the cut, according to one unhappy administration official, is that the money has not been authorized. And the reason it hasn't been authorized is that White House domestic policy aide **Bruce Reed** and Attorney General **Janet Reno** have not been able to agree on how much money should be spent for cops on the beat—Reed's preference—vs. crime prevention and other alternatives favored by Reno, who has come late to the policy battle.

Both have sent memos to Clinton to resolve the dispute, but the Hill moves on. . . .

The Pentagon, meanwhile, is in the middle of its bottom-up review of its post-Cold War needs, but it

is running late as well, and administration officials are concerned that the relevant Hill committees have had a chance to wrest the budgetary initiative from the Clintonites.

In other policy areas, such as auto safety, immigration and environmental regulations, the administration has been hampered by its slow appointments pace, according to a review by the weekly *National Law Journal*.

With a recent surge in activity, Clinton had just about pulled even by Memorial Day with **President Ronald Reagan** in nominations—with 203 nominees to Reagan's 205—and pulled ahead in confirmations, with 159 confirmed to Reagan's 137. (President **Jimmy Carter** had 283 named and 205 confirmed by Memorial Day weekend, according to the *Journal*, but no one in this administration wants to follow that example.)

There has been press speculation about **Nick Mitropolis**, an aide to 1988 Democratic presidential nominee **Michael S. Dukakis**, for a top job, maybe personnel, to replace current White House personnel head **Bruce Lindsey**, who would remain as a top adviser to Clinton. Senior administration officials say they don't think such a move is in the works.

But other moves are. Deputy communications director **Ricki Seidman** may move over to work for Chief of Staff **Thomas F. "Mack" McLarty**, and longtime McLarty aide **Skip Rutherford** may head to Washington from Little Rock, Ark., to handle McLarty's press relations. **Regina Montoya**, the presidential assistant in charge of intergovernmental relations, is expected to stay in place, despite widespread rumors to the contrary.

Anticipating a Tight Confirmation Vote

■ Apparently when it comes to the nomination of **George T. Frampton Jr.** to be an assistant secretary of Interior, every vote counts. Interior Secretary **Bruce Babbitt** is pushing Senate Energy and Natural Resources Committee Chairman **J. Bennett Johnston** (D-La.) to hold the committee's confirmation vote today, before Sen. **Bob Krueger** (D-Tex.) disappears from the Senate and is replaced by Republican Sen.-elect **Kay Bailey Hutchison**. Conservative Republicans are gunning for Frampton, the former head of The Wilderness Society, because he is viewed by some as an extreme environmentalist.

Clinton's Early Defender Gets a Post

■ It's official. . . . **Joe Grandmaison**, former chairman of the New Hampshire Democratic Party and 1990 nominee for governor, is getting paid back for defending candidate Clinton on ABC's "Nightline" after the Gennifer Flowers story broke. He is slated to be director of the Trade and Development Agency.

Robert Watson, currently director of the science division at NASA, joins the White House Office of Science and Technology Policy as associate director for the environment. **Mark Shaefer**, director of the Washington office of the Carnegie Commission on Science, Technology and Government, will join Watson as assistant director for the environment.

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MEMORANDUM FOR STEPHANOPOULOS, MCLARTY, RUBIN, GERGEN, RASCO, &
PASTER

FROM: Leon E. Panetta

SUBJECT: 100,000 Cops Pledge - Information

The purpose of this memorandum is to inform you of a disconnect between the resources requested in the 1994 Budget to meet the President's 100,000 cops pledge and the probable cost of meeting the pledge. In light of recent information, there is a wide gap between the two.

The President's Pledge

On several occasions, including the State of the Union Address, the President has stated that he supports Federal grants to help States and localities hire/rehire 100,000 law enforcement officers (cops). Although no details have been provided and no time frame has been stipulated, the President has reiterated the pledge in the context of his support for crime legislation. Most recently, he has stated the pledge in comments to the nation's mayors and to local police organizations.

The Department of Justice (DOJ), Domestic Policy Council (DPC) and Office of Management and Budget (OMB) have been working to finalize a "cops" provision that can be inserted into the crime bill. Since the crime bill is likely to move soon in both the House and Senate, it is imperative that any unresolved issues with respect to the "cops" pledge be settled. Additionally, House and Senate Judiciary Committee leadership have indicated a willingness to work with the Administration on the "cops" title of the crime bill. (Note: The one remaining critical issue in the crime bill -- inclusion of the habeas corpus reform -- is in the process of being worked out among all concerned parties. Once that stumbling block is overcome, other provisions may fall into place quickly.)

The 1994 Budget

The 1994 Budget met the 100,000 cops pledge by attributing new cop hires, or law enforcement equivalent positions, to a wide variety of programs. This attribution is shown in Attachment A. Of the 100,000 cops assumed to be hired by 1998, approximately 50,000 were assumed to be law enforcement officers or "true cops," at a cost of \$30,000 per new officer or "true cop." The rest were assumed to be law enforcement equivalents -- guards in

public housing projects and schools, National Service participants who choose law enforcement types of jobs, and trainees in the new Police Corps program. The plan was put together as a reasonable means of meeting the President's pledge within the extremely tight budgetary constraints of the 1994 budget process.

Significant funding was proposed as a down payment on the pledge. For 1993, \$200 million was requested in a supplemental (\$150 million was enacted). For 1994 \$550 million was requested. However, Congress appears likely to fund only a small portion of the request.

Problems in Meeting the Pledge

As noted above, the Budget presumed that approximately 50,000 would be "true cops," with the remainder being law enforcement equivalents. However, in developing the 50,000 "true cop" hires estimate, OMB made an assumption with which DOJ is not comfortable. Namely, we assumed that \$30,000 would be sufficient for a new police hire. In fact, \$30,000 is well above the average salary of freshman police officers. However, after further research, it is generally agreed that it is necessary to assume \$50,000 per cop to encompass the costs of training, benefits, and other capital acquisitions (e.g., weapons and uniforms). See Attachment B for cost per officer in select cities.

As a consequence of this differing assumption, as well as various other minor changes, the 1994 Budget investment for 50,000 "true cops" differs significantly from that which would be necessary to meet the DOJ draft legislative provisions currently under consideration. The difference is summarized below:

(obligations in millions of dollars)

	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1993-1998</u>
<u>50,000 True Cops</u>							
1994 Pres. Budget	200*	\$550**	319	531	612	662	2,874
New Estimate	150*	467	662	734	734	734	3,482
Increase over Baseline	xx	~~500~~ -83	~~675~~ +343	~~750~~ +203	~~750~~ +122	~~750~~ +72	+608

* \$200 million was requested, but \$150 million was enacted.

** \$500 million of which is derived from the Community Investment Program (\$250 million each from 1993 and 1994 funding).

As stated in my June 18 letter to agency heads, the 1994 Presidential Budget baseline estimates exceed the FY 1995 funding caps by \$16 billion in budget authority and \$14 billion in outlays. This poses a larger problem than suggested in the above table insofar as additional Presidential cuts below the baseline

will be required for FY 1995.

Conclusion

The leadership of the House and Senate Judiciary Committees want to include specific authorizations for the "cops" title of the bill. We propose to include the sums shown above (new estimate numbers) but adjusted upwards, so as to round out the authorization levels and avoid specious precision. We propose \$500 million for 1994, \$675 million for 1995, and \$750 million annually for 1996 - 1998. However, we have two reservations regarding these numbers of which you should be aware.

- The estimates should be viewed as authorizations only. They should not be perceived as Presidential commitments to seek appropriations in like amounts. Indeed, the 1995 Presidential Budget may not include funding requests to fund fully the proposed authorizations.
- The authorization levels assume that 50,000 "true cops" will need to be funded to meet the President's pledge. The remaining 50,000 officers or law enforcement equivalents will still need to be derived from other sources (i.e., HUD, National Service, Education, etc.). Unfortunately, it is likely that the other initiatives which supplement the 100,000 cops calculation will fail to receive their requested funding levels, thereby eroding the 100,000 cops pledge.

Attachments

Description of Programs Funding "100,000 cops" Pledge

- Community Policing/Cops on the Beat Program - Provides increasing funding (\$350 M in 1998) for grants to localities to promote and enhance community policing activities. Funds must be used to supplement, not supplant, current policing efforts and may be used to: recruit and hire new officers; provide special training; or support community programs to reduce crime. Requires a 50% non-federal match. Assumes that one officer will be hired for every \$30,000 (including non-Federal match) spent on community policing activities. By promoting community policing and efficiency in provision of local law enforcement services, supporting new crime prevention programs, and hiring new officers (or other public safety official), approximately 23,300 new police or equivalent positions are expected to be created by 1998. The program is modeled after a provision in last year's crime bill and will include an evaluation component.
- Police Corps Program - Provides increasing funding (\$150 M in 1998) for college scholarships to would-be police officers in exchange for a commitment to service as a State and local police officer. Candidates receive a stipend for tuition, books, and/or expenses of up to \$10,000 per year. Following their education, the candidates join their sponsoring police departments as new recruits. The Police Corps program, while training officers, does not directly fund new police. However, since the Federal assistance acts as a subsidy for State and local police department education and training, the program can "loosely" be interpreted as putting new cops on the street (approx. 15,000 by 1998). The program is modeled after a provision in last year's crime bill and will include an evaluation component.
- HUD Urban Crime Initiative/Other HUD Programs - Provides \$149 M in 1998 for grants to States and localities to ensure safety for public housing residents against crime and drug-related violence. A significant portion of this funding is expected to go towards police or police equivalent positions. Assumes that one officer/security guard will be hired for every \$30,000 spent on crime prevention in public housing (approx. 5,000 positions by 1998).
- DoEd Safe Schools Grants - Provides \$100 M in 1998 for grants to localities to hire law enforcement personnel, purchase of metal detectors, and to fund other conflict/violence prevention activities and training in schools. Approximately 18-20% is expected to go directly towards hiring of school security personnel. Grants are for two years and require continued support of new personnel after Federal assistance ceases (approx. 2,100 positions by 1998).
- Other Federal Programs Including National Service - Although the program is still under design, the National Service program is expected to support educational benefits to students in exchange for a commitment to public service in various forms, including police or public safety activities. Various other programs are also expected to complement the National Service program and provide funding for law enforcement and related activities. Among these other programs are DOJ's State and local drug grants which are used, in part, to fund police and DOJ's Asset Forfeiture Fund payments. A rough estimate of 20,000 law enforcement equivalent positions are expected to be created by 1998, from these various sources.
- New Police Hires/Community Policing - Combines \$500 M in 1993 and \$514 M in 1994 from the Community Investment Program (Weed & Seed) with funding not contained in the February 17th document (reaching \$187 M by 1997). Provides subsidies to State and local police departments to fund new police officers. The program would provide a subsidy to States and

localities equivalent to 75% of the estimated entry-level salary of an average new police recruit (\$24,000), or \$18,000 in her/his first year. The Federal subsidy decreases to 50% (\$12,000) in the second year, 25% (\$6,000) in the third year, and requires States/localities to pick-up full funding of the officers in the fourth and future years. The program requires that the officers are used in conjunction with community policing activities, are retained beyond the period of Federal subsidy, and an evaluation component is included. There are two sources of funds for this program.

- Community Investment Program - The program is funded at \$500 M in 1993 and \$514 M in 1994. The \$500 M appropriated in 1993 has not and cannot be released until the program is authorized. Since the Rangel authorization bill (H.R. 15) has been jointly referred to four committees, it is unlikely that the 1993 funds can/will be obligated this fiscal year. Therefore, in 1994, \$1 B in obligations should be available for use. Under the plan envisaged in the table, the Administration would propose to allocate half, or \$500 M, to support "Weed" type activities (law enforcement) especially increasing the number of police on the streets. The other half, \$500 M, would be reserved for "Seed" type activities (social services). Approximately 13,900 police positions would be created by 1998, to be used in conjunction with community policing.
- Police on the Street - \$94 M is proposed in 1995 (\$187 M in 1997) to fully meet the "100,000 cops" pledge (approx. 20,800 cops by 1998). This program will become be run by the Department of Justice beginning in 1995.

Meeting the "100,000 cops" pledge in the Clinton Budget proposal

Initiatives related to "100,000 cops" pledge.					
	1994	1995	1996	1997	1998
Community Policing/Cops on the Beat					
Budget Authority (\$ in millions)	50	175	250	300	350
Est. # of New Officers	3,300	11,700	16,700	20,000	23,300
Police Corps Program					
Budget Authority (\$ in millions)	25	75	150	150	150
Est. # of Officers Supported	2,500	7,500	15,000	15,000	15,000
HUD Urban Crime Initiative/Other HUD Programs					
Budget Authority (\$ in millions)	124	150	150	149	149
Law Enforce. Equiv. Positions	4,100	5,000	5,000	5,000	5,000
DoEd Safe Schools Program					
Budget Authority (\$ in millions)	75	100	100	100	100
Law Enforce. Equiv. Positions	600	800	1,300	1,500	2,100
Other Federal Programs Including National Service					
Budget Authority (\$ in millions)	xxx	xxx	xxx	xxx	xxx
Law Enforce. Equiv. Positions	600	6,100	11,200	17,700	20,000
New Police Hires/Community Policing					
Community Investment Program					
Obligations (\$ in millions)	500	0	0	0	0
Est. # of New Officers	13,900	13,900	13,900	13,900	13,900
Police on the Street					
Budget Authority (\$ in millions)	0	94	156	187	187
Est. # of New Officers	0	5,200	10,400	15,600	20,800
Total New Officers and Equivalent Positions					
	25,000	51,100	73,500	88,700	100,100

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Office of Policy Development

Office of the Director

Washington, D.C. 20530

June 3, 1993

MEMORANDUM TO THE ATTORNEY GENERAL

FROM: Erik Reid
Grace Mastalli

SUBJECT: Per-Officer Costs in Selected Cities

Per your request, we are providing you with a list of the average per-officer costs in 1993 in selected cities. The figures include salaries and wages, retirement and other benefits, and capital outlays. They do not include administrative and payroll costs.

Cities Over 1,000,000Per-Officer Cost in 1993

Dallas, TX	\$72,814
San Diego, CA	\$86,699

Cities Between 500,000 - 1,000,000

Baltimore, MD	\$96,210
Cleveland, OH	\$74,152
Denver, CO	\$74,929
Phoenix, AZ	\$78,555

Cities Between 250,000 - 500,000

Atlanta, GA	\$59,056
Buffalo, NY	\$56,911
Long Beach, CA	\$139,586
Oklahoma City, OK	\$52,477

Cities Between 100,000 - 250,000

Allentown, PA	\$50,869
Cedar Rapids, IA	\$63,031
Grand Rapids, MI	\$83,927
Spokane, WA	\$35,780

Required Resources for "COPS" Initiative
Declining Federal Matching Share
OMB Option

Assumptions:

85% Percent of Total Resources Must Be Allocated for Hiring of New Cops (Based on draft DOJ Bill)

Full Cost of an Officer \$50,000 (includes training, capital equipment, salary and benefits)

Federal Share (Match)	<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>	<u>4th year</u>	<u>5th year</u>
	0.75	0.5	0.25	0	0

# of New Cops Funded Each Year (30,000 by 1998)	10,000	10,000	10,000	10,000	10,000
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Calculations:

	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Class #A - BA Required	150,000,000	100,000,000	50,000,000	0	0	0
# of Cops funded	5,625	5,625	5,625	5,625	5,625	5,625
Class #B - BA Required		375,000,000	250,000,000	125,000,000	0	0
# of Cops funded		10,000	10,000	10,000	10,000	10,000
Class #C - BA Required			375,000,000	250,000,000	125,000,000	0
# of Cops funded			10,000	10,000	10,000	10,000
Class #D - BA Required				375,000,000	250,000,000	125,000,000
# of Cops funded				10,000	10,000	10,000
Class #E - BA Required					375,000,000	250,000,000
# of Cops funded					10,000	10,000
Class #F - BA Required						375,000,000
# of Cops funded						10,000

TOTAL COPS
FUNDED -->

55,625

"COPS"

Resources Required	\$150,000,000	\$475,000,000	\$675,000,000	\$750,000,000	\$750,000,000	\$750,000,000
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Total over 6 years ----> \$3,350,000,000

TOTAL Implied

Appropriations Required	\$176,470,588	\$558,823,529	\$794,117,647	\$882,352,941	\$882,352,941	\$882,352,941
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Total over 6 years ---->

\$4,176,470,588

Required Resources for "COPS" Initiative
Static Federal Matching Share
DOJ Option

Assumptions:

75% Percent of Total Resources Must Be Allocated for Hiring of New Cops (Based on draft DOJ Bill)

Full Cost of an Officer \$50,000 (Includes training, capital equipment, salary and benefits)

Federal Share (Match)	1st year	2nd year	3rd year	4th year	5th year
	0.75	0.75	0.75	0.75	0

# of New Cops Funded Each Year (50,000 by 1998)	1st year	2nd year	3rd year	4th year	5th year
	10,000	10,000	10,000	10,000	10,000

Calculations:

	1993	1994	1995	1996	1997	1998
Class #A - BA Required	150,000,000	150,000,000	150,000,000	150,000,000	0	0
# of Cops funded	5,625	5,625	5,625	5,625	5,625	5,625
Class #B - BA Required		375,000,000	375,000,000	375,000,000	375,000,000	0
# of Cops funded		10,000	10,000	10,000	10,000	10,000
Class #C - BA Required			375,000,000	375,000,000	375,000,000	375,000,000
# of Cops funded			10,000	10,000	10,000	10,000
Class #D - BA Required				375,000,000	375,000,000	375,000,000
# of Cops funded				10,000	10,000	10,000
Class #E - BA Required					375,000,000	375,000,000
# of Cops funded					10,000	10,000
Class #F - BA Required						375,000,000
# of Cops funded						10,000

TOTAL COPS
FUNDED →

55,625

"COPS" Resources Required	1993	1994	1995	1996	1997	1998
	\$150,000,000	\$525,000,000	\$900,000,000	\$1,275,000,000	\$1,500,000,000	\$1,500,000,000

Total over 6 years ---->

\$5,850,000,000

TOTAL Implied Appropriations Required	1993	1994	1995	1996	1997	1998
	\$200,000,000	\$700,000,000	\$1,200,000,000	\$1,700,000,000	\$2,000,000,000	\$2,000,000,000

Total over 6 years ---->

\$7,800,000,000

Required Resources for "COPS" Initiative
Static Federal Matching Share
DOJ Option

Assumptions:

85% Percent of Total Resources Must Be Allocated for Hiring of New Cops (Based on draft DOJ Bill)

Full Cost of an Officer \$50,000 (Includes training, capital equipment, salary and benefits)

Federal Share (Match)	1st year	2nd year	3rd year	4th year	5th year
	0.75	0.75	0.75	0.75	0

# of New Cops Funded Each Year (50,000 by 1998)	1993	1994	1995	1996	1997	1998
	10,000	10,000	10,000	10,000	10,000	10,000

Calculations:

	1993	1994	1995	1996	1997	1998
Class #A - BA Required	150,000,000	150,000,000	150,000,000	150,000,000	0	0
# of Cops funded	5,625	5,625	5,625	5,625	5,625	5,625
Class #B - BA Required		375,000,000	375,000,000	375,000,000	375,000,000	0
# of Cops funded		10,000	10,000	10,000	10,000	10,000
Class #C - BA Required			375,000,000	375,000,000	375,000,000	375,000,000
# of Cops funded			10,000	10,000	10,000	10,000
Class #D - BA Required				375,000,000	375,000,000	375,000,000
# of Cops funded				10,000	10,000	10,000
Class #E - BA Required					375,000,000	375,000,000
# of Cops funded					10,000	10,000
Class #F - BA Required						375,000,000
# of Cops funded						10,000

TOTAL COPS
FUNDED →

55,625

"COPS"	1993	1994	1995	1996	1997	1998
Resources Required	\$150,000,000	\$525,000,000	\$900,000,000	\$1,275,000,000	\$1,500,000,000	\$1,500,000,000

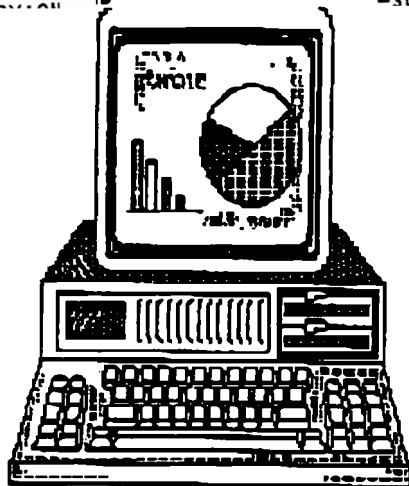
Total over 6 years ---->

\$5,850,000,000

TOTAL Implied	1993	1994	1995	1996	1997	1998
Appropriations Required	\$176,470,588	\$617,647,059	\$1,058,823,529	\$1,500,000,000	\$1,764,705,882	\$1,764,705,882

Total over 6 years ---->

\$6,882,352,941



TRANSPORTATION, COMMERCE AND JUSTICE DIVISION

FAX COVER SHEET

From:

Kenneth Schwartz

Roger Adkins

Cora Beebe

Jim Duke

Sharon Barkeloo

Chris Brown

Anita Ford

Chris Bertram

Ron Jones

Martha Gagné

Dan Corbett

Louisa Koch

Trish Watson

Alice Davis

Brad Kyser

Meg DiBari

Lin Liu

Desiree Thompson

Jeff Payne

David Tornquist

John Serlemitos

Rebecca Wayne

Adrien Silas

TO: Jose CerdaPHONE: 7739SUBJECT: For your meeting with Ken later today

FOR YOUR INFORMATION
PER YOUR REQUEST
SEE REMARKS BELOW
FOR COMMENT

REMARKS: If you have any questions - call me
at X3452

The phone number for this Xerox 7020 machine is (202) 395-7238.

Required Resources for "COPS" Initiative
Declining Federal Matching Share
OMB Option

Assumptions:

75% Percent of Total Resources Must Be Allocated for Hiring of New Cops (Based on draft DOJ Bill)

Full Cost of an Officer \$50,000 (Includes training, capital equipment, salary and benefits)

Federal Share (Match)	<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>	<u>4th year</u>	<u>5th year</u>
	0.75	0.5	0.25	0	0

# of New Cops Funded Each Year (50,000 by 1998)	10,000	10,000	10,000	10,000	10,000
---	--------	--------	--------	--------	--------

Calculations:

	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Class #A - BA Required	150,000,000	100,000,000	50,000,000	0	0	0
# of Cops funded	5,625	5,625	5,625	5,625	5,625	5,625
Class #B - BA Required		375,000,000	250,000,000	125,000,000	0	0
# of Cops funded		10,000	10,000	10,000	10,000	10,000
Class #C - BA Required			375,000,000	250,000,000	125,000,000	0
# of Cops funded			10,000	10,000	10,000	10,000
Class #D - BA Required				375,000,000	250,000,000	125,000,000
# of Cops funded				10,000	10,000	10,000
Class #E - BA Required					375,000,000	250,000,000
# of Cops funded					10,000	10,000
Class #F - BA Required						375,000,000
# of Cops funded						10,000

**TOTAL COPS
FUNDED -->**

55,625

"COPS" Resources Required	\$150,000,000	\$475,000,000	\$675,000,000	\$750,000,000	\$750,000,000	\$750,000,000
------------------------------	---------------	---------------	---------------	---------------	---------------	---------------

Total over 6 years ---->

\$3,550,000,000

TOTAL Implied Appropriations Required	\$200,000,000	\$633,333,333	\$900,000,000	\$1,000,000,000	\$1,000,000,000	\$1,000,000,000
--	---------------	---------------	---------------	-----------------	-----------------	-----------------

Total over 6 years ---->

\$4,733,333,333

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Commerce and Justice Branch
(202) 395-3914
(202) 395-1150 Fax

Facsimile Cover Sheet

of Pages: 2 (Including Cover Sheet)

TRANSMITTED TO:
NAME:

RANA S.

FAX NUMBER:

456-7739

TELEPHONE NUMBER:

FROM:

Cora Beebe
Christopher Brown 370
Anita Ford
Ronald Jones
Louisa Koch
Brad Kyser

Lin Liu
Jeffrey Payne
Adrien Silas
Rebecca Strock
Vernetta Tanner

SUBJECT/COMMENTS:

*Here's an
example.*

Option #1

CNB

Developing the Cops Initiative (Hiring Scenarios)

04-Aug
01:45 PM

Total Funding Available for Hires (Note: Assumes Alternative A)	\$50,000,000	\$319,000,000	\$531,000,000	\$612,000,000	\$662,000,000	
	1994	1995	1996	1997	1998	Total Officers
New Officers in 1994						
Available BA	\$0,000,000	\$0,000,000	\$0,000,000	0	0	
# of Cops funded	1,905					1,905
New Officers in 1995						
Available BA		269,000,000	269,000,000	269,000,000	0	
# of Cops funded		10,248				10,248
New Officers in 1996						
Available BA			212,000,000	212,000,000	212,000,000	
# of Cops funded			8,076			8,076
New Officers in 1997						
Available BA				131,000,000	131,000,000	
# of Cops funded				4,990		4,990
New Officers in 1998						
Available BA					319,000,000	
# of Cops funded					12,152	12,152

Scenario:

Assumptions:						
Ave. Full Cost of an Officer	\$35,000	Urban: =	\$36,739			
		Rural: =	\$33,657			
						37,371
% of Full Cost Funded Federally	Year 1 0.75	Year 2 0.75	Year 3 0.75	Year 4 0	Year 5 0	Sum of Fed. Cost Per Cop
Ave. Annual Fed. Subsidy/Officer	\$26,250	\$26,250	\$26,250	\$0	\$0	\$78,750

Total Budget Authority Available for Cops Initiative

President's Budget

Stimulus Package	\$200,000,000	\$0	\$0	\$0	\$0
Econ. Empower. Act (CIP)	\$250,000,000	\$250,000,000	\$0	\$0	\$0
Community Policing	\$50,000,000	\$175,000,000	\$250,000,000	\$300,000,000	\$350,000,000
Police on the Street	\$0	\$94,000,000	\$156,000,000	\$187,000,000	\$187,000,000
SUBTOTAL (COPS)	\$500,000,000	\$519,000,000	\$406,000,000	\$487,000,000	\$537,000,000
Police Corps	\$0	\$75,000,000	\$150,000,000	\$150,000,000	\$150,000,000
TOTAL	\$500,000,000	\$594,000,000	\$556,000,000	\$637,000,000	\$687,000,000

Alternative A: Assumes Police Corps Demo of \$25M Annually/ No CIP/ No Stimulus

Stimulus Package	\$0	\$0	\$0	\$0	\$0
Econ. Empower. Act (CIP)	\$0	\$0	\$0	\$0	\$0
Community Policing	\$50,000,000	\$175,000,000	\$250,000,000	\$300,000,000	\$350,000,000
Police on the Street	\$0	\$94,000,000	\$156,000,000	\$187,000,000	\$187,000,000
Cop Hires (from Police Corps)	\$0	\$50,000,000	\$125,000,000	\$125,000,000	\$125,000,000
SUBTOTAL (COPS)	\$50,000,000	\$319,000,000	\$531,000,000	\$612,000,000	\$662,000,000
Police Corps Demo	\$25,000,000	\$25,000,000	\$25,000,000	\$25,000,000	\$25,000,000
TOTAL	\$75,000,000	\$344,000,000	\$556,000,000	\$637,000,000	\$687,000,000

2174000000
Total

OUTLINE OF PRESIDENT'S POLICING INITIATIVE

The Domestic Policy Council (DPC), the Justice Department (DOJ) and the Office of Management and Budget have been working on a credible proposal to meet the President's pledge to put 100,000 new police on the street. We hope to be able to fund half of the 100,000 through the establishment of a single grant program to be administered by DOJ -- and to include the authorizing legislation for such a program in a soon-to-be-introduced version of last year's crime bill.

The remainder of the President's pledge could be fulfilled by the use other policing-related monies, including -- the supplemental appropriations bill signed by the President this weekend (\$150 million), the public safety component of the Empowerment Zones initiative (\$500 million), community policing monies at HUD, community policing monies at the Dept. of Education (proposed Safe Schools legislation), the public safety component of National Service, and a still-to-be-determined "Troops to Cops" initiative.

Specifics of the current, draft policing initiative include:

GENERAL

- the program would be a one-time, five-year initiative to increase police presence and expand community policing;
- a minimum of 85% of the policing monies would have to be used for rehiring or hiring sworn law enforcement personnel in community policing roles;
- a maximum of 15% of the total funds could be used for other policing related activities, including --
 - redeployment of officers in proactive, crime prevention roles,
 - specialized training (problem solving, conflict resolution, etc.),
 - participation in multidisciplinary early intervention teams,
 - technologies to assist departments in reorienting their emphasis to preventing crime,
 - programs to minimize officers' court appearance time,
 - and innovative programs to include members of the community in crime prevention efforts -- particularly young persons;

- 5% of the total funds could be set aside for the Attorney General to provide technical assistance, including a flexible model to help define community policing methodologies and the establishment of training centers;
- the Attorney General is allowed to utilize other DOJ components to help her implement this policing initiative;
- all states would be guaranteed a minimum amount of funds;
- grantees would be required to pay a 25% match in the first year of the program, with the percentage of the match increasing over time (unless waived by the Attorney General);
- per officer costs would be capped at \$75,000 over the life of the grant (unless waived by the Attorney General);

APPLICATION PROCEDURES

- potential grantees would have to submit a long-term strategy and detailed implementation plan, demonstrate a public safety need, explain the localities need for assistance, identify local initiatives to be coordinated with policing strategy, etc.;
- 40% of the funds authorized would be available to large cities (150,000 or more in population) and cities in non-participating states by direct application to the Attorney General;
- 60% of the funds authorized would be available to state-screened applications;
- in such cases, the various states could screen initial applications and forward them with recommendations to the Attorney General.
- each project shall include an evaluation component.



Office of Policy Development
United States Department of Justice
10th Street and Constitution Avenue, N.W.
Washington, D.C. 20530

Date: 7-2-93

TO: JOSE CERDA FAX: 456-7739

VOICE: _____

FROM: GRACE MASTALLI VOICE: (202) 514-4606
FAX: (202) 514-8639

Total Pages (excluding this cover): 28

Additional Message:

KARP "93 POLCOR:702"

DRAFT DRAFT DRAFT
WORK IN PROGRESS (revised 7.02.93)

A BILL

Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violent Crime Control and Law
Enforcement Act of 1993".

TITLE I - PUBLIC SAFETY AND POLICING

SEC. 101. SHORT TITLE.

This title may be cited as the "Public Safety Partnership
And Community Policing Act of 1993".

SEC. 102. FINDINGS AND PURPOSES.

(a) Findings. -- The Congress finds that --

(1) according to data compiled by the Federal Bureau of
Investigation, in 1961, there was approximately one reported
violent crime per city police officer, but while from 1961 to
1991 there was no substantial increase in U.S. cities' police
employment rate, during the same period the number of reported
violent crimes per city police officer rose to approximately 4.6
per officer;

(2) National Crime Survey figures indicate that nearly
5,000,000 households in the United States had at least one member
who had been a victim of violent crime during 1991;

(3) these victims of violence experienced more than 6.4
million crimes of which about half were reported to law
enforcement authorities;

~~(4) between 1987 and 1991, the nation's law enforcement~~

~~agencies reported a 29% increase in their violence-related workload, while the number of sworn law enforcement officers increased by 11.5%;~~ [BIDEN STAFF WANTS THIS PARAGRAPH DELETED]

(5) community-oriented policing ("cops on the beat") enhances communication and cooperation between law enforcement and members of the community;

(6) such communication and cooperation between law enforcement and members of the community significantly assists in preventing and controlling crime and violence, thus enhancing public safety; and

(7) while increasing and maintaining police resources and presence in the community are the long-term responsibility of State and local governments, State and local law enforcement agencies are in need of immediate assistance to begin the process of rehiring officers who have been laid off for budgetary reasons and hiring new, additional officers to assist in the implementation of community-oriented policing.

(b) Purposes. -- The purposes of this Act are to --

(1) substantially increase, by up to 100,000, the number of law enforcement officers interacting directly with members of the community ("cops on the beat");

(2) provide additional and more effective training to law enforcement officers to enhance their problem solving, service, and other skills needed in interacting with members of the community;

(3) encourage the development and implementation of

innovative programs to permit members of the community to assist State and local law enforcement agencies in the prevention of crime in the community; and

(4) encourage the development of new technologies to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime;

by establishing a program of grants and assistance in furtherance of these objectives, including the authorization for a period of five years of grants for the hiring and rehiring of additional career law enforcement officers.

SEC. 103. COMMUNITY POLICING; "COPS ON THE BEAT"

(a) In general. -- Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by --

- (1) redesignating Part Q as Part R;
- (2) redesignating section 1701 as section 1801; and
- (3) inserting after Part P the following new Part:

"PART Q -- PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON THE BEAT'

"SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND COMMUNITY POLICING GRANTS.

"(a) Grant authorization. -- The Attorney General is authorized to make grants to units of State and local government, and to other public and private entities, to increase police presence, to expand and improve cooperative efforts between law

enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

"(b) Rehiring and hiring grant projects. -- ~~Not less than 75 percent of funds available in any fiscal year for grants~~ [BIDEN STAFF WANTS DELETION ON GROUNDS OF REDUNDANCY WITH ALLOCATION PROVISIONS IN SECTION 104.] Grants made under the authority of subsection (a) of this section ~~shall~~ may be used for programs, projects, and other activities to --

"(1) rehire law enforcement officers who have been laid off as a result of State and local budget reductions for deployment in community-oriented policing; and

"(2) hire new, additional career law enforcement officers for deployment in community-oriented policing across the Nation.

"(c) Additional grant projects. -- Grants made under the authority of subsection (a) of this section also may include programs, projects, and other activities to --

"(1) increase the number of law enforcement officers involved in activities that are focused on interaction with members of the community on proactive crime control and prevention by redeploying officers to such activities;

"(2) provide specialized training to law enforcement officers to enhance their conflict resolution, mediation, problem solving, service, and other skills needed to work in partnership with members of the community;

"(3) increase police participation in multidisciplinary

early intervention teams;

"(4) develop new technologies to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime;

"(5) develop and implement innovative programs to permit members of the community to assist State and local law enforcement agencies in the prevention of crime in the community;

"(6) establish innovative programs to reduce, and keep to a minimum, the amount of time that law enforcement officers must be away from the community while awaiting court appearances; and

"(7) establish and implement innovative programs to increase and enhance proactive crime control and prevention programs involving law enforcement officers and young persons in the community.

"(d) Preferential consideration of applications for certain grants. -- (1) In awarding grants under this part, the Attorney General shall give particular consideration to applications for grants affecting urban, suburban, and rural areas designated as empowerment zones or enterprise communities pursuant to the Economic Empowerment Act of 1993. [BIDEN STAFF WANTS THIS PARAGRAPH DELETED; SAYS IT'S REDUNDANT IN RELATION TO ENTERPRISE ZONE BILL.]

"(2) In awarding grants under this part, the Attorney General may give preferential consideration to grants for hiring and rehiring additional career law enforcement officers that involve a non-Federal contribution exceeding the 25% minimum

under subsection (h) of this section ~~or that involve a federal contribution to hiring or rehiring costs per officer of less than \$75,000.~~ [THE REDLINED LANGUAGE, INSERTED AT OMB'S SUGGESTION, IS POTENTIALLY AT ODDS WITH THE OBJECTIVE OF ACHIEVING EQUITABLE EFFECTS AMONG AREAS WITH DIFFERENT HIRING COSTS BY PROVIDING FLEXIBILITY IN ADJUSTING THE LEVEL OF PER OFFICER FUNDING. IF IMPLEMENTED, IT WOULD AMOUNT TO A PREFERENCE FOR GRANTEEES IN AREAS WITH LOWER HIRING COSTS.]

~~"(3) In awarding grants under this part, the Attorney General may give preferential consideration to applications submitted in coordination with Police Corps Program applications under title II of the Violent Crime Control and Law Enforcement Act of 1993.~~ [BIDEN STAFF WANTS THIS PARAGRAPH DELETED. HOWEVER, BROOKS STAFF LIKES IT.]

"(e) Technical assistance. -- (1) The Attorney General may provide technical assistance to units of State and local government, and to other public and private entities, in furtherance of the purposes of the Public Safety Partnership and Community Policing Act of 1993.

"(2) The technical assistance provided by the Attorney General may include the development of a flexible model that will define for State and local governments, and other public and private entities, definitions and strategies associated with community or problem-oriented policing and methodologies for its implementation. ~~In developing such a model, the Attorney General is encouraged to consult with experts in public safety and the~~

~~criminal justice system.~~ [BROOKS STAFF WANTS THIS MOVED TO LEGISLATIVE HISTORY.]

"(3) The technical assistance provided by the Attorney General may include the establishment and operation of training centers or facilities, either directly or by contracting or cooperative arrangements. The functions of the centers or facilities established under this paragraph may include instruction and seminars for police trainers and supervisors concerning community or problem-oriented policing ~~and other reforms~~ and improvements in police-community interaction and cooperation that further the purposes of the Public Safety Partnership and Community Policing Act of 1993. [BROOKS STAFF WANTS DELETION OF "AND OTHER REFORMS".]

"(f) Utilization of components. -- The Attorney General may utilize any component or components of the Department of Justice in carrying out this part.

"(g) Minimum Amount. -- Each qualifying state, together with grantees within the state, shall receive in each fiscal year pursuant to subsection (a) of this section not less than 0.25% of the total amount appropriated in the fiscal year for grants pursuant to that subsection. [BIDEN STAFF WANTS 0.25% CHANGED TO 0.5%; BROOKS STAFF IS CHECKING IT OUT.] As used in this subsection, "qualifying state" means any state which has submitted an application for a grant, or in which an eligible entity has submitted an application for a grant, which meets the requirements prescribed by the Attorney General and the

conditions set out in this part.

"(h) Matching funds. -- The portion of the costs of a program, project, or activity provided by a grant under subsection (a) of this section may not exceed 75 percent, unless the Attorney General waives, wholly or in part, the requirement under this subsection of a non-Federal contribution to the costs of a program, project, or activity. ~~{ADD WHITE HOUSE WAIVER LIMITATION LANGUAGE?}~~ In relation to a grant for a period exceeding one year for hiring or re-hiring career law enforcement officers, the Federal share shall decrease from year to year, looking towards the continuation of the increased hiring level using State or local sources of funding following the conclusion of Federal support, as provided in an approved plan pursuant to section 1702(c)(8) of this part.

"(i) Allocation of funds. -- The funds available under this part shall be allocated as provided in section 1001(a)(11)(B) of this Act.

"(j) Termination of grants for hiring officers. -- The authority under subsection (a) of this section to make grants for the hiring and rehiring of additional career law enforcement officers shall lapse at the conclusion of five years from the date of enactment of this part. Prior to the expiration of this grant authority, the Attorney General shall submit a report to Congress concerning the experience with and effects of such grants. The report may include any recommendations the Attorney General may have for amendments to this part and related

provisions of law in light of the termination of the authority to make grants for the hiring and rehiring of additional career law enforcement officers.

"SEC. 1702. APPLICATIONS.

"(a) In general. -- No grant may be made under this part unless an application has been submitted to, and approved by, the Attorney General.

"(b) Form and content of application. -- An application for a grant under this part shall be submitted in such form, and contain such information, as the Attorney General may prescribe by regulation or guidelines.

"(c) In accordance with the regulations or guidelines established by the Attorney General, each application for a grant under this part shall --

"(1) include a long-term strategy and detailed implementation plan that reflects consultation with community groups and appropriate private and public agencies and reflects consideration of the statewide strategy under section 503(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3753(a)(1));

"(2) demonstrate a specific public safety need;

"(3) explain the locality's inability to address the need without federal assistance;

"(4) identify related governmental and community initiatives which complement or will be coordinated with the proposal;

"(5) certify that there has been appropriate coordination

with all affected agencies;

"(6) outline the initial and ongoing level of community support for implementing the proposal including financial and in-kind contributions or other tangible commitments;

"(7) specify plans for obtaining necessary support and continuing the proposed program, project, or activity following the conclusion of Federal support; and

"(8) if the application is for a grant for hiring or rehiring additional career law enforcement officers --

"(A) specify plans for the assumption by the grantee of a progressively larger share of the cost in the course of time, looking towards the continuation of the increased hiring level using State or local sources of funding following the conclusion of Federal support; and

"(B) specify plans for dealing with any effects of the increase in police resources on other components of the criminal justice system. [BIDEN STAFF RAISES QUESTIONS ABOUT (8) AND POSSIBLY (7) -- HOW WILL CITIES AND STATES REACT AND WHETHER THE LEGISLATION SHOULD BE SO SPECIFIC. HOWEVER, BROOKS STAFF LIKES IT A LOT.]

"SEC. 1703. REVIEW OF APPLICATIONS BY STATE OFFICE.

"(a) In general. -- Except as provided in subsection (c) or (d), an applicant for a grant under this part shall submit an application to the State office designated under section 507 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3757) in the State in which the applicant is located for initial review.

"(b) Initial review of application. -- (1) The State office referred to in subsection (a) of this section shall review applications for grants under this part submitted to it, based upon criteria specified by the Attorney General by regulation or guidelines.

"(2) Upon completion of the reviews required by paragraph (1) of this subsection, the State office referred to in subsection (a) of this section shall determine which, if any, of the applications for grants under this part are most likely to be successful in achieving the purposes of the Public Safety Partnership and Community Policing Act of 1993.

"(3)(A) Based upon the determinations made under paragraph (2) of this subsection, the State office referred to in subsection (a) of this section shall list the applications for grants under this part in order of their likelihood to achieve the purposes of the Public Safety Partnership and Community Policing Act of 1993 and shall submit the list along with all grant applications and supporting materials received to the Attorney General.

"(B) In making the submission to the Attorney General required by subparagraph (A) of this paragraph, the State office referred to in subsection (a) of this section may recommend that a particular application or applications should receive special priority and

provide supporting reasons for the recommendation.

"(c) Direct application to the Attorney General by certain municipalities. -- Notwithstanding subsection (a) of this section, municipalities whose population exceeds 150,000 may submit an application for a grant under this part directly to the Attorney General. For purposes of this subsection, "municipalities whose population exceeds 150,000" means units of local government or law enforcement agencies having jurisdiction over areas with populations exceeding 150,000, and consortia or associations that include one or more such units of local government or law enforcement agencies.

"(d) Direct application to the Attorney General by other applicants. -- Notwithstanding subsection (a) of this section, if a State chooses not to carry out the functions described in subsection (b) of this section, an applicant in the State may submit an application for a grant under this part directly to the Attorney General.

"SEC. 1704. RENEWAL OF GRANTS.

"(a) In general. -- Except for grants made for hiring or rehiring additional career law enforcement officers, a grant under this part may be renewed for up to two additional years after the first fiscal year during which a recipient receives its initial grant, if the Attorney General determines that the funds made available to the recipient were used in a manner required under an approved application and if the recipient can demonstrate significant progress in achieving the objectives of

the initial application.

"(b) Grants for hiring. -- Grants made for hiring or rehiring additional career law enforcement officers may be renewed for up to four years, subject to the requirements of subsection (a) of this section, but notwithstanding the limitation in that subsection concerning the number of years for which grants may be renewed.

"(c) Multi-year grants. -- A grant for a period exceeding one year may be renewed as provided in this section, except that the total duration of such a grant including any renewals may not exceed three years, or five years if it is a grant made for hiring or rehiring additional career law enforcement officers.

"SEC. 1705. LIMITATION ON USE OF FUNDS.

"(a) Non-supplanting requirement. -- Funds made available under this part to State or local governments shall not be used to supplant State or local funds, but will be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State or local sources.

"(b) Administrative costs. -- No more than 5% of the funds available under this part may be used for the costs of States in carrying out the functions described in section 1703(b) or other administrative costs.

"(c) Non-federal costs -- State and local units of government may use assets received through the Assets Forfeiture equitable sharing program to cover the non-federal portion of programs funded under this part.

"(d) Hiring costs -- Funding provided under this part hiring or rehiring a career law enforcement officer may not exceed \$75,000, unless the Attorney General grants a waiver this limitation. *[add qualifying lang. performance]*

*Quality
never met
cap. to meet
cost. scale*
*

"SEC. 1706. PERFORMANCE EVALUATION.

"(a) Evaluation components. -- Each project funded under this part shall contain an evaluation component, developed pursuant to guidelines established by the Attorney General.

"(b) Periodic review and reports. -- The Attorney General shall review the performance of each grant recipient under this part. The Attorney General may require a grant recipient to submit to the Attorney General the results of the evaluations required under subsection (a) and such other data and information as the Attorney General deems reasonably necessary to carry out the responsibilities under this subsection.

"SEC. 1707. REVOCATION OR SUSPENSION OF FUNDING.

"If the Attorney General determines, as a result of the reviews required by section 1706 of this part, or otherwise, that a grant recipient under this part is not in substantial compliance with the terms and requirements of an approved grant application submitted under section 1702 of this part, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

"SEC. 1708. ACCESS TO DOCUMENTS.

"(a) By the Attorney General. -- The Attorney General shall have access for the purpose of audit and examination to any

pertinent books, documents, papers, or records of a grant recipient under this part, as well as the pertinent books, documents, papers, or records of State and local governments, persons, businesses, and other entities that are involved in programs or projects for which assistance is provided under this part.

"(b) By the Comptroller General. -- The provisions of subsection (a) of this section shall also apply with respect to audits and examinations conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

"SEC. 1709. GENERAL REGULATORY AUTHORITY.

"The Attorney General is authorized to promulgate regulations and guidelines to carry out this part.

"SEC. 1710. DEFINITION.

"For purposes of this part, the term 'career law enforcement officer' means a person hired on a permanent basis and directly serving a State or local public agency in an official capacity, with compensation, with responsibility for the investigation, control, or prevention of violations of criminal laws." [BIDEN'S STAFF ASKS FOR SOURCE OF DEFINITION. FORMULATION MORE CLOSELY MODELED ON EXISTING DEFINITION, IN 18 U.S.C. 115(c)(1), WOULD BE AS FOLLOWS: "For purposes of this part, the term 'career law enforcement officer' means a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or

investigation of violations of criminal laws."]

(b) Technical amendment.-- The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711, et seq.) is amended by striking the material relating to Part Q and inserting the following:

"Part Q -- PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON
THE BEAT'

"Sec. 1701. Authority to make public safety and community policing grants.

"Sec. 1702. Applications.

"Sec. 1703. Review of applications by State office.

"Sec. 1704. Renewal of grants.

"Sec. 1705. Limitation on use of funds.

"Sec. 1706. Performance evaluation.

"Sec. 1707. Revocation or suspension of funding.

"Sec. 1708. Access to documents.

"Sec. 1709. General regulatory authority.

"Sec. 1710. Definition.

"Part R -- TRANSITION-EFFECTIVE DATE-REPEALER

"Sec. 1801. Continuation of rules, authorities and proceedings."

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

(a) Authorization. -- Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended --

(1) in paragraph (3) by striking "and N." and inserting "N,

O, P, and Q."; and

(2) by adding at the end the following new paragraph:

"(11)(A) There are authorized to be appropriated to carry out Part Q, to remain available until expended --

"(i) a total of \$500,000,000 for fiscal years 1993 and 1994; and

"(ii) such sums as may be necessary for fiscal years 1995 through 1998.

"(B) Of funds available under Part Q in any fiscal year, up to 5% may be used for technical assistance under section 1701(e), and up to 5% may be used for the costs of States in carrying out the functions described in section 1703(b) or other administrative costs. Of the remaining funds, 60% shall be allocated for grants pursuant to applications submitted as provided in section 1703(a) or (d), and 40% shall be allocated for grants pursuant to applications submitted as provided in section 1703(c). Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(a) or (d), at least 85% shall be applied to grants for the purposes specified in section 1701(b), and no more than 15% may be applied to other grants in furtherance of the purposes of Part Q. Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(c), at least 85% shall be applied to grants for the purposes specified in section 1701(b), and no more than 15% may be applied to other grants in furtherance of the purposes of Part Q." [BIDEN STAFF

PROPOSES ELIMINATING TECHNICAL ASSISTANCE OR LUMPING THE MONEY FOR TECHNICAL ASSISTANCE IN WITH THE ALLOCATION FOR NON-HIRING GRANTS.]

(b) Status as subsequent authorizing legislation. -- This section constitutes the "subsequent authorizing legislation" referred to in Title XII of Public Law 102-368 (the Dire Emergency Supplemental Appropriations Act of 1992).

SEC. 105. CONFORMING AMENDMENTS

Title XII of "An act making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes" (Public Law 102-368, 106 Stat. 1117, 1160-61), is amended by --

(1) inserting "including Public Safety Partnership and Community Policing grants under the Violent Crime Control and Law Enforcement Act of 1993" after "rejuvenate neighborhoods"; and

(2) inserting "Public Safety Partnership and Community Policing grants under the Violent Crime Control and Law Enforcement Act of 1993;" after "Treatment Improvement Program under sections 301 and 509G of the Public Health Service Act, as amended by Public Law 102-321;".

TITLE II -- POLICE CORPS

SEC. 201. SHORT TITLE

This title may be cited as the "Community Police Corps Act".

SEC. 202. STATEMENT OF PURPOSES

The purposes of this title are to support and encourage state and locally based Police Corps programs which provide educational assistance and job placement for police recruits in community-oriented policing, and to support and encourage scholarship programs for in-service officers related to community-oriented policing.

SEC. 203. DEFINITIONS

As used in this title --

(1) "educational institution" means an institution of postsecondary education having a program whose regular duration is not less than two years and not more than four years, or a combination of such institutions that enter into a partnership with a jurisdiction under section 115 of this title;

(2) "jurisdiction" means a state or local law enforcement agency or a state or local government, or a combination of such agencies or governments that enter into a partnership with an educational institution under section 115 of this title; and

(3) "partnership" means a cooperative arrangement of an educational institution and a jurisdiction for the purpose of operating a Community Police Corps Program.

SEC. 204. AUTHORIZATION OF PROGRAM

(a) GRANTS. -- The Attorney General may make grants to

educational institutions for the support of Community Police Corps Programs as described in this title. The duration of a grant under this section shall not exceed five years. Grants whose duration is less than five years may be renewed by the Attorney General so long as the aggregate duration of grants for a particular Community Police Corps Program does not exceed five years. Up to ten Community Police Corps Programs may receive funding under this section at any time.

(b) SCHOLARSHIPS. -- Grants provided to educational institutions under this section shall be used to provide scholarships of not more than \$5,000 annually to participants in Community Police Corps Programs. Scholarships may be provided for the full duration of the institution's educational program or for any shorter period, but the aggregate amount provided to any participant shall not exceed \$5,000 times the number of years in the institution's regular program.

(c) UTILIZATION OF COMPONENTS. -- The Attorney General may utilize any component or components of the Department of Justice in carrying out this title.

SEC. 205. PARTNERSHIPS OF EDUCATIONAL INSTITUTIONS AND

JURISDICTIONS

(a) FORMATION OF PARTNERSHIPS. -- All Community Police Corps Programs funded under this title shall be operated by partnerships including an educational institution and a jurisdiction. The partnership shall publicize the availability of scholarships under the Community Police Corps Program and

shall carry out the specific responsibilities set out in subsections (b), (c), (d), and (e).

(b) RESPONSIBILITIES OF EDUCATIONAL INSTITUTION. -- The educational institution in a partnership shall be responsible for --

(1) determining degree requirements and/or devising an educational curriculum, in consultation with the jurisdiction in the partnership, for participants in the Community Police Corps Program, which shall include instruction that helps to prepare the participants for work in community-oriented policing; and

(2) evaluating the educational and academic fitness of applicants for participation in the Program, and selecting applicants for participation with the concurrence of the jurisdiction in the partnership.

(c) RESPONSIBILITIES OF JURISDICTION. -- The jurisdiction in a partnership shall be responsible for --

(1) evaluating the fitness of applicants for future police work, and selecting applicants for participation with the concurrence of the educational institution in the partnership;

(2) providing work-study and training opportunities for participants during the educational period;

(3) providing any additional necessary training, and hiring as law enforcement officers all participants who have successfully completed the educational program and any work-study or training requirements, and who otherwise meet minimum qualification and fitness standards for available positions; and

(4) utilizing those participants to help implement community-oriented policing for a period of at least four years.

(d) APPLICATION AND PLAN. -- A partnership may seek support for a Community Police Corps Program by submitting an application to the Attorney General which contains a plan for operating such a program. The plan shall describe the discharge of the responsibilities set out in this section, and shall address any other matters that the Attorney General may prescribe. An application under this subsection may be submitted in coordination with an application under section 1702 of the Omnibus Crime Control and Safe Streets Act of 1968.

(e) MINIMUM ENROLLMENT REQUIREMENT. -- A qualifying plan must specify that at least ten participants will be enrolled in the Program. If scholarships are provided to participants in more than one educational class, then at least ten participants must be enrolled in each such class.

SEC. 206. RESPONSIBILITIES OF PARTICIPANTS

(a) CONDITIONS OF PARTICIPATION. -- A person may apply for participation in a Community Police Corps Program by submitting an application in the form and manner prescribed by the partnership that operates the Program. By enrolling in the Program, a participant undertakes to --

(1) complete the educational component of the Program, and any work-study or training requirements which are part of the Program, including satisfaction of any performance or testing standards set by the educational institution or the jurisdiction;

(2) accept employment by the jurisdiction as a law enforcement officer; and

(3) remain in such employment for a period of at least four years without misconduct or deficits in performance that warrant discharge or removal from a position as a law enforcement officer under the rules of the employing jurisdiction.

(b) VIOLATION OF CONDITIONS. -- A participant who fails to comply with the conditions in subsection (a) may be required to repay to the United States the amount of any scholarship or scholarships provided under this subtitle, together with interest at a rate specified by the Attorney General. The Attorney General may allow a participant to fulfill the employment requirement under this title, wholly or in part, through some other form of public service of comparable duration, on a finding that the participant's inability to fulfill the employment requirement is the result of disability or other good cause for which the participant is not at fault.

SEC. 207. COMMUNITY POLICING SCHOLARSHIPS FOR IN-SERVICE OFFICERS

(a) GRANTS. -- In addition to grants provided under section 114, the Attorney General may make grants to educational institutions participating in partnerships with jurisdictions under section 115 for purposes of supporting study at the institution or in a related post-graduate program by law enforcement officers who are employed by the jurisdiction.

(b) SCHOLARSHIPS. -- Grants provided to educational institutions under this section shall be used to provide

scholarships to officers who are assigned or will be assigned to community-oriented policing, or who exercise or will exercise a supervisory or training role in relation to officers assigned to community-oriented policing. Scholarships under this section shall be applied to support courses of study that are relevant to community-oriented policing or related supervisory or training functions.

(c) LIMITATIONS. -- The amount of a scholarship under this section may not exceed \$5,000 annually for any recipient, or an aggregate amount of \$10,000 for any recipient. The funding provided under this section shall not exceed 10% of the total funding available under this title.

(d) APPLICATION AND GRANT CONDITIONS. -- A partnership that wishes to establish a scholarship program for in-service officers under this section shall submit an application to the Attorney General, which may be combined with an application seeking support for a Community Police Corps Program under section 115(d). The application and the conduct of programs funded under this section shall conform to any requirements that may be prescribed by the Attorney General.

SEC. 208. AUTHORIZATION OF APPROPRIATION

There is authorized to be appropriated not more than \$25,000,000 to carry out this title.

SEC. 209. REPORT AND REVIEW OF PROGRAM

The grant authority created by this title shall lapse at the conclusion of five years from the date of enactment of this

title. Prior to the expiration of the grant authority under this title, the Attorney General shall submit a report to Congress concerning the experience with and efficacy of the programs that have received support under this title. The report may include any recommendations the Attorney General may have concerning the renewal, with or without modifications, of the program established by this title.

- 3 -

each fiscal year.

Subsection (h) of section 1701 specifies the matching funds requirement for the grant program. A non-federal contribution of at least 25% would be required, subject to possible waiver by the Attorney General.

Even in the absence of a waiver, the general 25% match requirement would not necessarily mean that the grantee would have to contribute this amount in any particular year. For example, in relation to a multi-year grant, the federal contribution could exceed 75% in the first year, but be progressively lower in subsequent years of the grant, producing a net federal contribution over the life of the grant which is below 75%.

In relation to multi-year grants for hiring and rehiring career law enforcement officers, subsection (h) explicitly requires a sliding-scale approach. For example, the duration of a grant of this type might be set at three years, with a federal contribution to hiring costs of 75% in the first year, 50% in the second year, and 25% in the third and final year. Applicants for hiring and rehiring grants would be required to propose a plan for the eventual assumption by the grantee of the full cost of increased hires following a limited period of federal assistance. Specifically, proposed § 1702(c)(8)(A) requires applicants for such grants to provide "plans for the assumption by the grantee of a progressively larger share of the cost in the course of time, looking towards the continuation of the increased hiring level using State or local sources of funding following the conclusion of Federal support."

Subsection (i) of section 1701 cross-references a later provision governing the allocation of available funding under the subtitle for different purposes and classes of grantees.

Subsection (j) of section 1701 terminates the authority to make grants for hiring or rehiring additional career law enforcement officers after five years.

Section 1702 -- Applications for grants. This section provides for the submission of applications for grants to the Attorney General, and provides that the Attorney General has final authority concerning the decision whether to approve or disapprove an application. Applications would have to include various specified information, including a detailed implementation plan reflecting consultation with community groups and appropriate public and private agencies, demonstration of need for federal assistance, information concerning coordination with other governmental and community efforts and community support and involvement, and plans for obtaining necessary support and continuing the proposed program or activity following

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002

DRAFT DRAFT DRAFT
WORK IN PROGRESS (revised 6.24.93)

A BILL

Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violent Crime Control and Law
Enforcement Act of 1993".

TITLE I - PUBLIC SAFETY AND POLICING

Subtitle A -- Community Policing

SEC. 101. SHORT TITLE.

This subtitle may be cited as the "Public Safety Partnership
And Community Policing Act of 1993".

SEC. 102. FINDINGS AND PURPOSES.

(a) Findings. -- The Congress finds that --

(1) according to data compiled by the Federal Bureau of
Investigation, in 1961, there was approximately one reported
violent crime per city police officer, but while from 1961 to
1991 there was no substantial increase in U.S. cities' police
employment rate, during the same period the number of reported
violent crimes per city police officer rose to approximately 4.6
per officer;

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(2) National Crime Survey figures indicate that nearly
5,000,000 households in the United States had at least one member
who had been a victim of violent crime during 1991;

(3) these victims of violence experienced more than 6.4
million crimes of which about half were reported to law

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enforcement authorities;

~~(4) between 1987 and 1991, the nation's law enforcement agencies reported a 29% increase in their violence-related workload, while the number of sworn law enforcement officers increased by 11.5%;~~

OMIT

(5) community-oriented policing ("cops on the beat") enhances communication and cooperation between law enforcement and members of the community; and

(6) such communication and cooperation between law enforcement and members of the community significantly assists in preventing and controlling crime and violence, thus enhancing public safety.

(b) Purposes. -- The purposes of this Act are to --

(1) substantially increase, by up to 100,000, the number of law enforcement officers interacting directly with members of the community ("cops on the beat");

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(2) provide additional and more effective training to law enforcement officers to enhance their problem solving, service, and other skills needed in interacting with members of the community;

(3) encourage the development and implementation of innovative programs to permit members of the community to assist State and local law enforcement agencies in the prevention of crime in the community; and

(4) encourage the development of new technologies to assist State and local law enforcement agencies in reorienting the

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emphasis of their activities from reacting to crime to preventing crime;

SEC. 103. COMMUNITY POLICING; "COPS ON THE BEAT"

(a) In general. -- Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by --

- (1) redesignating Part Q as Part R;
- (2) redesignating section 1701 as section 1801; and
- (3) inserting after Part P the following new Part:

"PART Q -- PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON THE BEAT'

"SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND COMMUNITY POLICING GRANTS.

"(a) Grant authorization. -- The Attorney General is authorized to make grants to units of State and local government, and to other public and private entities, to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

"(b) Rehiring, hiring, and redeployment grant projects. -- ~~Not less than 75 percent of funds available in any fiscal year~~

Redundant
with page 16

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~~For~~ grants made under the authority of subsection (a) of this section shall be used for programs, projects, and other activities to --

"(1) rehire law enforcement officers who have been laid off as a result of State and local budget reductions for deployment in community-oriented policing;

"(2) hire new, additional career law enforcement officers for deployment in community-oriented policing across the Nation; and

"(3) redeploy law enforcement officers to activities that are focused on interaction with members of the community on proactive crime control and prevention.

"(c) Additional grant projects. -- Grants made under the authority of subsection (a) of this section also may include programs, projects, and other activities to --

"(1) provide specialized training to law enforcement officers to enhance their conflict resolution, mediation, problem solving, service, and other skills needed to work in partnership with members of the community;

"(2) increase police participation in multidisciplinary early intervention teams;

"(3) develop new technologies to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime;

"(4) develop and implement innovative programs to permit members of the community to assist State and local law

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enforcement agencies in the prevention of crime in the community;

"(5) establish innovative programs to reduce, and keep to a minimum, the amount of time that law enforcement officers must be away from the community while awaiting court appearances;

"(6) establish and implement innovative programs to increase and enhance proactive crime control and prevention programs involving law enforcement officers and young persons in the community; and

"(7) establish and implement any crime prevention innovations or programs or undertake any activities that would further the purposes of the Public Safety Partnership and Community Policing Act of 1993.

OMIT unless similar language in law.

"(d) Preferential consideration of applications for certain grants. -- (1) In awarding grants under this part, the Attorney General shall give particular consideration to applications for grants affecting [REDACTED] areas designated as empowerment zones or enterprise communities pursuant to the Economic Empowerment Act of 1993.

Redundant to language in EZ bill.
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

"(e) Technical assistance. -- (1) The Attorney General may provide technical assistance to units of State and local government, and to other public and private entities, in furtherance of the purposes of the Public Safety Partnership and Community Policing Act of 1993.

"(2) The technical assistance provided by the Attorney General may include the development of a flexible model that will define for State and local governments, and others public and private entities, definitions and strategies associated with community or problem-oriented policing and methodologies for its implementation. In developing such a model, the Attorney General is encouraged to consult with experts in public safety and the criminal justice system.

"(3) The technical assistance provided by the Attorney General may include the establishment and operation of training centers or facilities, either directly or by contracting or cooperative arrangements. The functions of the centers or facilities established under this paragraph may include instruction and seminars for police trainers and supervisors concerning community or problem-oriented policing and other reforms and improvements in police-community interaction and cooperation that further the purposes of the Public Safety Partnership and Community Policing Act of 1993.

"(f) Utilization of components. -- The Attorney General may

See note after page 13.

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utilize any component or components of the Department of Justice in carrying out this part.

"(g) Minimum Amount. -- Each qualifying state, together with grantees within the state, shall receive in each fiscal year pursuant to subsection (a) of this subsection not less than 0.25% of the total amount appropriated in the fiscal year for grants pursuant to that subsection. As used in this subsection, "qualifying state" means any state which has submitted an application for a grant, or in which an eligible entity has submitted an application for a grant, which meets the requirements prescribed by the Attorney General and the conditions set out in this part.

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"(h) Matching funds. -- The portion of the costs of a program, project, or activity provided by a grant under subsection (a) of this section may not exceed 75 percent, unless the Attorney General waives, wholly or in part, the requirement under this subsection of a non-Federal contribution to the costs of a program, project, or activity.

"(i) Allocation of funds. -- The funds available under this part shall be allocated as provided in section 1001(a)(11)(B) of this Act.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

"SEC. 1702. APPLICATIONS.

"(a) In general. -- No grant may be made under this part unless an application has been submitted to, and approved by, the Attorney General.

"(b) Form and content of application. -- An application for a grant under this part shall be submitted in such form, and contain such information, as the Attorney General may prescribe by regulation or guidelines.

"(c) In accordance with the regulations or guidelines established by the Attorney General, each application for a grant under this part shall --

"(1) include a long-term strategy and detailed implementation plan developed by a steering committee that reflects consultation with community groups and appropriate private and public agencies and reflects consideration of the statewide strategy under section 503(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3753(a)(1));

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"(2) demonstrate a specific public safety need;

"(3) explain the locality's inability to address the need

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without federal assistance;

"(4) identify related governmental and community initiatives which complement or will be coordinated with the proposal;

"(5) certify that there has been appropriate coordination with all affected agencies;

"(6) outline the initial and ongoing level of community support for implementing the proposal including financial and in-kind contributions or other tangible commitments;

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

"(d) Decision of the Attorney General final. --

Notwithstanding any other provision of law, any decision of the Attorney General to approve or disapprove, in whole or in part, an application for a grant under this part is final and is not

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specific?



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to similar
language

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subject to judicial review.

"SEC. 1703. REVIEW OF APPLICATIONS BY STATE OFFICE.

"(a) In general. -- Except as provided in subsection (c) or (d), an applicant for a grant under this part shall submit an application to the State office designated under section 507 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3757) in the State in which the applicant is located for initial review.

"(b) Initial review of application. -- (1) The State office referred to in subsection (a) of this section shall review applications for grants under this part submitted to it, based upon criteria specified by the Attorney General by regulation or guidelines.

"(2) Upon completion of the reviews required by paragraph (1) of this subsection, the State office referred to in subsection (a) of this section shall determine which, if any, of the applications for grants under this part are most likely to be successful in achieving the purposes of the Public Safety Partnership and Community Policing Act of 1993.

"(3) (A) Based upon the determinations made under paragraph (2) of this subsection, the State office referred to in subsection (a) of this section shall list the applications for grants under this part in order of their likelihood to achieve the purposes of the Public Safety Partnership and Community Policing Act of 1993 and shall submit the list along with all grant applications and supporting materials received to the

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Attorney General.

"(B) In making the submission to the Attorney General required by subparagraph (A) of this paragraph, the State office referred to in subsection (a) of this section may recommend that a particular application or applications should receive special priority and provide supporting reasons for the recommendation.

"(c) Direct application to the Attorney General by certain municipalities. -- Notwithstanding subsection (a) of this section, municipalities whose population exceeds 150,000 may submit an application for a grant under this part directly to the Attorney General. For purposes of this subsection, "municipalities whose population exceeds 150,000" means units of local government or law enforcement agencies having jurisdiction over areas with populations exceeding 150,000, ^{OR} and consortia or associations that include one or more such units of local government or law enforcement agencies.

"(d) Direct application to the Attorney General by other applicants. -- Notwithstanding subsection (a) of this section, if a State chooses not to carry out the functions described in subsection (b) of this section, an applicant in the State may submit an application for a grant under this part directly to the Attorney General.

"SEC. 1704. RENEWAL OF GRANTS.

"(a) In general. -- Except for grants made for hiring or rehiring additional career law enforcement officers, a grant

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under this part may be renewed for up to two additional years after the first fiscal year during which a recipient receives its initial grant, if the Attorney General determines that the funds made available to the recipient were used in a manner required under an approved application and if the recipient can demonstrate significant progress in achieving the objectives of the initial application.

"(b) Grants for hiring. -- Grants made for hiring or rehiring additional career law enforcement officers may be renewed for up to four years, subject to the requirements of subsection (a) of this section, but notwithstanding the limitation in that subsection concerning the number of years for which grants may be renewed.

"(c) Multi-year grants. -- A grant for a period exceeding one year may be renewed as provided in this section, except that the total duration of such a grant including any renewals may not exceed three years, or five years if it is a grant made for hiring or rehiring additional career law enforcement officers.

*Cleared with
appropriators*

"SEC. 1705. LIMITATION ON USE OF FUNDS.

"(a) Non-supplanting requirement. -- Funds made available under this part to State or local governments shall not be used to supplant State or local funds, but will be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State or local sources.

"(b) Administrative costs. -- No more than 5% of the funds available under this part may be used for the costs of States in

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*review of application
by state*

carrying out the functions described in section 1703(b) or other administrative costs.

"(c) Non-federal costs -- State and local units of government may use cash or property received through the Assets Forfeiture equitable sharing program to cover the non-federal portion of programs funded under this part.

"SEC. 1706. PERFORMANCE EVALUATION.

"(a) Evaluation components. -- Each project funded under this part shall contain an evaluation component, developed pursuant to guidelines established by the Attorney General.

"(b) Periodic review and reports. -- The Attorney General shall review the performance of each grant recipient under this part. The Attorney General may require a grant recipient to submit to the Attorney General the results of the evaluations required under subsection (a) and such other data and information as the Attorney General deems reasonably necessary to carry out the responsibilities under this subsection.

"SEC. 1707. REVOCATION OR SUSPENSION OF FUNDING.

"If the Attorney General determines, as a result of the reviews required by section 1706 of this part, or otherwise, that a grant recipient under this part is not in substantial compliance with the terms and requirements of an approved grant application submitted under section 1702 of this part, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

"SEC. 1708. ACCESS TO DOCUMENTS.

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"(a) By the Attorney General. -- The Attorney General shall have access for the purpose of audit and examination to any pertinent books, documents, papers, or records of a grant recipient under this part, as well as the pertinent books, documents, papers, or records of State and local governments, persons, businesses, and other entities that are involved in programs or projects for which assistance is provided under this part.

"(b) By the Comptroller General. -- The provisions of subsection (a) of this section shall also apply with respect to audits and examinations conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

"SEC. 1709. GENERAL REGULATORY AUTHORITY.

"The Attorney General is authorized to promulgate regulations and guidelines to carry out this part.

"SEC. 1710. DEFINITION.

"For purposes of this part, the term 'career law enforcement officer' means a person hired on a permanent basis and directly serving a State or local public agency in an official capacity, with compensation, with responsibility for the investigation, control, or prevention of violations of criminal laws."

Source
for
definition?

(b) Technical amendment.-- The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711, et seq.) is amended by striking the material relating to Part Q and inserting the following:

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**"Part Q -- PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON
THE BEAT'**

**"Sec. 1701. Authority to make public safety and community
policing grants.**

"Sec. 1702. Applications.

"Sec. 1703. Review of applications by State office.

"Sec. 1704. Renewal of grants.

"Sec. 1705. Limitation on use of funds.

"Sec. 1706. Performance evaluation.

"Sec. 1707. Revocation or suspension of funding.

"Sec. 1708. Access to documents.

"Sec. 1709. General regulatory authority.

"Sec. 1710. Definition.

"Part R -- TRANSITION-EFFECTIVE DATE-REPEALER

**"Sec. 1801. Continuation of rules, authorities and
proceedings."**

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

**(a) Authorization. -- Section 1001(a) of title I of the
Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.
3793) is amended --**

**(1) in paragraph (3) by striking "and N." and inserting "N,
O, P, and Q."; and**

(2) by adding at the end the following new paragraph:

**"(11) (A) There are authorized to be appropriated to carry
out Part Q, to remain available until expended --**

"(i) a total of \$500,000,000 for fiscal years 1993

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and 1994; and

"(ii) such sums as may be necessary for fiscal years 1995 through 1998.

"(B) Of funds available under Part Q in any fiscal year, up to 5% may be used for technical assistance under section 1701(e), and up to 5% may be used for the costs of States in carrying out the functions described in section 1703(b) or other administrative costs. Of the remaining funds, 60% shall be allocated for grants pursuant to applications submitted as provided in section 1703(a) or (d), and 40% shall be allocated for grants pursuant to applications submitted as provided in section 1703(c). Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(a) or (d), at least 75% shall be applied to grants for the purposes specified in section 1701(b), and ^{no more than} up to 25% may be applied to grants for ~~other purposes~~ ^{the purposes specified in section 1701(c)}. Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(c), at least 75% shall be applied to grants for the purposes specified in section 1701(b), and ^{no more than} up to 25% may be applied to grants for ~~other purposes~~ ^{the purposes specified in section 1701(c)}."

(b) Status as subsequent authorizing legislation. -- This section constitutes the "subsequent authorizing legislation" referred to in Title XII of Public Law 102-368 (the Dire Emergency Supplemental Appropriations Act of 1992).

SEC. 105. CONFORMING AMENDMENTS

Title XII of "An act making supplemental appropriations,

Conflict
w/ entrapment
2000 legislation?

"up to"
is
not
english

what does this do

Grace -

In general, I remained concerned about the declining share to be devoted to deploying police officers. Thus, the technical assistance provision (1701 e) needs to be either eliminated or incorporated into the list of 1701 c. I prefer the former -- primarily because, as pointed by 1701 f, the Justice Department has numerous existing programs/funds/authorities to implement the programs.

Best,

Chris

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transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes" (Public Law 102-368, 106 Stat. 1117, 1160-61), is amended by --

(1) inserting "including Public Safety Partnership and Community Policing grants under the Violent Crime Control and Law Enforcement Act of 1993" after "rejuvenate neighborhoods"; and

(2) inserting "Public Safety Partnership and Community Policing grants under the Violent Crime Control and Law Enforcement Act of 1993;" after "Treatment Improvement Program under sections 301 and 509G of the Public Health Service Act, as amended by Public Law 102-321;".

What does this do?

Subtitle B -- Community Police Corps Initiatives

SEC. 111. SHORT TITLE

This subtitle may be cited as the "Community Police Corps Act".

SEC. 112. STATEMENT OF PURPOSES

The purposes of this subtitle are to support and encourage state and locally based Police Corps programs which provide educational assistance and job placement for police recruits in community-oriented policing, and to support and encourage scholarship programs for in-service officers related to community-oriented policing.

I cannot sign-off on any of these changes.

SEC. 113. DEFINITIONS

As used in this subtitle --

(1) "educational institution" means an institution of

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postsecondary education having a program whose regular duration is not less than two years and not more than four years, or a combination of such institutions that enter into a partnership with a jurisdiction under section 115 of this subtitle;

(2) "jurisdiction" means a state or local law enforcement agency or a state or local government, or a combination of such agencies or governments that enter into a partnership with an educational institution under section 115 of this subtitle; and

(3) "partnership" means a cooperative arrangement of an educational institution and a jurisdiction for the purpose of operating a Community Police Corps Program.

SEC. 114. AUTHORIZATION OF PROGRAM

(a) GRANTS. -- The Attorney General may make grants to educational institutions for the support of Community Police Corps Programs as described in this subtitle. The duration of a grant under this section shall not exceed five years. Grants whose duration is less than five years may be renewed by the Attorney General so long as the aggregate duration of grants for a particular Community Police Corps Program does not exceed five years. Up to ten Community Police Corps Programs may receive funding under this section at any time.

(b) SCHOLARSHIPS. -- Grants provided to educational institutions under this section shall be used to provide scholarships of not more than \$5,000 annually to participants in Community Police Corps Programs. Scholarships may be provided for the full duration of the institution's educational program or

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for any shorter period, but the aggregate amount provided to any participant shall not exceed \$5,000 times the number of years in the institution's regular program.

(c) UTILIZATION OF COMPONENTS. -- The Attorney General may utilize any component or components of the Department of Justice in carrying out this subtitle.

SEC. 115. PARTNERSHIPS OF EDUCATIONAL INSTITUTIONS AND
JURISDICTIONS

(a) FORMATION OF PARTNERSHIPS. -- All Community Police Corps Programs funded under this subtitle shall be operated by partnerships including an educational institution and a jurisdiction. The partnership shall publicize the availability of scholarships under the Community Police Corps Program and shall carry out the specific responsibilities set out in subsections (b), (c), (d), and (e).

(b) RESPONSIBILITIES OF EDUCATIONAL INSTITUTION. -- The educational institution in a partnership shall be responsible for --

(1) determining degree requirements and/or devising an educational curriculum, in consultation with the jurisdiction in the partnership, for participants in the Community Police Corps Program, which shall include instruction that helps to prepare the participants for work in community-oriented policing; and

(2) evaluating the educational and academic fitness of applicants for participation in the Program, and selecting applicants for participation with the concurrence of the

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jurisdiction in the partnership.

(c) RESPONSIBILITIES OF JURISDICTION. -- The jurisdiction in a partnership shall be responsible for --

(1) evaluating the fitness of applicants for future police work, and selecting applicants for participation with the concurrence of the educational institution in the partnership;

(2) providing work-study and training opportunities for participants during the educational period;

(3) providing any additional necessary training, and hiring as law enforcement officers all participants who have successfully completed the educational program and any work-study or training requirements, and who otherwise meet minimum qualification and fitness standards for available positions; and

(4) utilizing those participants to help implement community-oriented policing for a period of at least four years.

(d) APPLICATION AND PLAN. -- A partnership may seek support for a Community Police Corps Program by submitting an application to the Attorney General which contains a plan for operating such a program. The plan shall describe the discharge of the responsibilities set out in this section, and shall address any other matters that the Attorney General may prescribe. An application under this subsection may be submitted in coordination with an application under section 1702 of the Omnibus Crime Control and Safe Streets Act of 1968.

(e) MINIMUM ENROLLMENT REQUIREMENT. -- A qualifying plan must specify that at least ten participants will be enrolled in

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the Program. If scholarships are provided to participants in more than one educational class, then at least ten participants must be enrolled in each such class.

SEC. 116. RESPONSIBILITIES OF PARTICIPANTS

(a) **CONDITIONS OF PARTICIPATION.** -- A person may apply for participation in a Community Police Corps Program by submitting an application in the form and manner prescribed by the partnership that operates the Program. By enrolling in the Program, a participant undertakes to --

(1) complete the educational component of the Program, and any work-study or training requirements which are part of the Program, including satisfaction of any performance or testing standards set by the educational institution or the jurisdiction;

(2) accept employment by the jurisdiction as a law enforcement officer; and

(3) remain in such employment for a period of at least four years without misconduct or deficits in performance that warrant discharge or removal from a position as a law enforcement officer under the rules of the employing jurisdiction.

(b) **VIOLATION OF CONDITIONS.** -- A participant who fails to comply with the conditions in subsection (a) may be required to repay to the United States the amount of any scholarship or scholarships provided under this subtitle, together with interest at a rate specified by the Attorney General. The Attorney General may allow a participant to fulfill the employment requirement under this subtitle, wholly or in part, through some

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other form of public service of comparable duration, on a finding that the participant's inability to fulfill the employment requirement is the result of disability or other good cause for which the participant is not at fault.

SEC. 117. COMMUNITY POLICING SCHOLARSHIPS FOR IN-SERVICE OFFICERS

(a) **GRANTS.** -- In addition to grants provided under section 114, the Attorney General may make grants to educational institutions participating in partnerships with jurisdictions under section 115 for purposes of supporting study at the institution or in a related post-graduate program by law enforcement officers who are employed by the jurisdiction.

(b) **SCHOLARSHIPS.** -- Grants provided to educational institutions under this section shall be used to provide scholarships to officers who are assigned or will be assigned to community-oriented policing, or who exercise or will exercise a supervisory or training role in relation to officers assigned to community-oriented policing. Scholarships under this section shall be applied to support courses of study that are relevant to community-oriented policing or related supervisory or training functions.

(c) **LIMITATIONS.** -- The amount of a scholarship under this section may not exceed \$5,000 annually for any recipient, or an aggregate amount of \$10,000 for any recipient. The funding provided under this section shall not exceed 10% of the total funding available under this subtitle.

(d) **APPLICATION AND GRANT CONDITIONS.** -- A partnership that

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wishes to establish a scholarship program for in-service officers under this section shall submit an application to the Attorney General, which may be combined with an application seeking support for a Community Police Corps Program under section 115(d). The application and the conduct of programs funded under this section shall conform to any requirements that may be prescribed by the Attorney General.

SEC. 118. AUTHORIZATION OF APPROPRIATION

There is authorized to be appropriated not more than \$25,000,000 to carry out this subtitle.

SEC. 119. REPORT AND REVIEW OF PROGRAM

The grant authority created by this subtitle shall lapse at the conclusion of five years from the date of enactment of this subtitle. Prior to the expiration of the grant authority under this subtitle, the Attorney General shall submit a report to Congress concerning the experience with and efficacy of the programs that have received support under this subtitle. The report may include any recommendations the Attorney General may have concerning the renewal, with or without modifications, of the program established by this subtitle.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

7/2/93

MEMORANDUM FOR CHRIS EDLEY

FROM: Christopher Brown **CAB**
SUBJECT: More "Cops" Calculations

Attached is a "final" calculation of the resources necessary to reach the 50,000 cop level agreed upon by DPC and DoJ as necessary to reasonably meet the "100,000 cops" pledge.

From the first table, we can estimate authorization levels for Title I of the crime bill (Cops). Reading across the "TOTAL Increased Appropriations Required" line, a reasonable authorization level would be slightly greater than the totals for 1994 - \$500M, 1995 - \$675M, 1996 through 1998 - \$750M.

The second table estimates how "short" the administration is in meeting the pledge. The "Resources Needed Above Baseline" estimates show for example that we are ok in 1994 (\$82M above needed resources) but short in 1995 (\$342M) and in the outyears.

Additionally, table 2 shows you where we stand with respect to Congressional action on "Cops" component programs.

Attachment

Required Resources for "COPS" Initiative
Declining Federal Matching Share

02-Jul-93

Assumptions:

Assumes 95% Percent of Total Resources Will Be Allocated for Hiring of New Cops (5% for Administration)

Full Cost of an Officer \$50,000 (Includes training, capital equipment, salary and benefits)

Federal Share (Match)	<u>1st year</u>	<u>2nd year</u>	<u>3rd year</u>	<u>4th year</u>	<u>5th year</u>
	0.75	0.5	0.25	0	0

Note: Assumes \$75,000 maximum Federal expenditure per officer hired.

# of Cops Funded Each Year (50,000 by 1998)	9,300	9,300	9,300	9,300	9,300
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Calculations:

	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Class #A - BA Required	142,500,000	95,000,000	47,500,000	0	0	0
# of Cops funded	3,800	3,800	3,800	3,800	3,800	3,800
Class #B - BA Required		348,750,000	232,500,000	116,250,000	0	0
# of Cops funded		9,300	9,300	9,300	9,300	9,300
Class #C - BA Required			348,750,000	232,500,000	116,250,000	0
# of Cops funded			9,300	9,300	9,300	9,300
Class #D - BA Required				348,750,000	232,500,000	116,250,000
# of Cops funded				9,300	9,300	9,300
Class #E - BA Required					348,750,000	232,500,000
# of Cops funded					9,300	9,300
Class #F - BA Required						348,750,000
# of Cops funded						9,300

TOTAL COPS
FUNDED -->

50,300

"COPS"

Resources Required	\$142,500,000	\$443,750,000	\$628,750,000	\$697,500,000	\$697,500,000	\$697,500,000
				Total over 6 years ---->		\$3,307,500,000

TOTAL Implied

Appropriations Required	\$150,000,000	\$467,105,263	\$661,842,105	\$734,210,526	\$734,210,526	\$734,210,526
				Total over 6 years ---->		\$3,481,578,947

Comparison of President's Request and Resources Required to Meet 100,000 Cops Pledge

	1993	1994	1995	1996	1997	1998
President's Baseline						
Stimulus Package	\$200,000,000	\$0	\$0	\$0	\$0	\$0
Econ. Empower. Act (CIP)*	\$0	\$500,000,000	\$0	\$0	\$0	\$0
Community Policing	\$0	\$50,000,000	\$175,000,000	\$250,000,000	\$300,000,000	\$350,000,000
Police on the Street	\$0	\$0	\$94,000,000	\$156,000,000	\$187,000,000	\$187,000,000
Cop Hires (from Police Corps**)	\$0	\$0	\$50,000,000	\$125,000,000	\$125,000,000	\$125,000,000
SUBTOTAL (COPS)	\$200,000,000	\$550,000,000	\$319,000,000	\$531,000,000	\$612,000,000	\$662,000,000

Resources Required to Meet Pledge	\$150,000,000	\$467,105,263	\$661,842,105	\$734,210,526	\$734,210,526	\$734,210,526
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Resources Needed Above Baseline	- - - (\$82,894,737)	\$342,842,105	\$203,210,526	\$122,210,526	\$72,210,526	
--	-----------------------------	----------------------	----------------------	----------------------	---------------------	--

* Derived from \$250 million unobligated in 1993 and \$250 million requested in 1994.

** Assumes Police Corps is funded @ \$25 million annually.

Estimate of Congressional Action

	1993	1994
Stimulus Package	\$150,000,000	\$0
Econ. Empower. Act (CIP)	\$112,500,000	\$0
Community Policing	\$0	\$25,000,000
Police on the Street	\$0	\$0
Cop Hires (from Police Corps**)	\$0	\$0
SUBTOTAL (COPS)	\$262,500,000	\$25,000,000

STATUS OF 100,000 COPS PROPOSAL

Crime Bill	-- 23,000 to 43,000
Jobs Package	-- 2,500 to 4,000
Empowerment Zones	-- 6,000 to 10,000
HUD's COMPAC	-- 5,000 to 7,500
Safe Schools	-- 100 to 5,000
National Service	-- 20,000 to 25,000
Troops to Cops	-- 5,000

TOTAL -- 61,600 TO 94,500

I. CRIME BILL

Available BA: \$2.175 billion over 5 years
Estimate of cops funded: 23,000 to 43,000
Additional BA required to meet 50,000 threshold: \$1.076

NB: Only \$25 million of these monies are included in the House appropriations bill. Also, the wide range of cops funded under this initiative depend on three factors: the average costs assumed; the % of money used for expenditures other than for hires and re-hires; and the federal match required.

II. JOBS PACKAGE

Available BA: \$200 million over 2 years
Estimate of cops funded: 2,500 to 4,000

NB: Last night, the House-Senate conference reduced this number to \$150 million.

III. EMPOWERMENT ZONES

Available BA: \$500 million over 2 years
Estimate of cops funded: 6,000 to 10,000

NB: Thus far the Hill has not supported this expenditure.

IV. HUD'S COMPAC

Available BA: \$750 million over 5 years
Estimate of cops and security guards funded: 5,000 to 7,500

NB: This legislation has yet to be introduced.

V. DEPT. OF ED'S SAFE SCHOOLS

Available BA: approx. \$156 million over 5 years
Estimate of cops and security guards funded: 100 to 5,000

NB: This legislation has been transmitted to the Hill.

VI. NATIONAL SERVICE

Available BA: None
Estimate of public safety personnel funded: 20,000 to 25,000

NB: This legislation is currently being considered by the Congress. Non-sworn public safety personnel make up one of the four major components of National Service.

VII. TROOPS TO COPS

Available BA: \$10 to \$25 million
Estimate of military personnel trained to be cops: 5,000

NB: The availability of these monies is contingent on Secretary Reich's approval.

RANGE OF "COPS" PRODUCED -- 61,600 TO 94,500

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-0500

OFFICE OF THE GENERAL COUNSEL

LEGISLATION DIVISION
ROOM 10282FAX COVER SHEETDATE: 6/30
TIME: 4:38 a.m./(p.m.)
Number of Pages (including cover): 4TO: Jose CernaFacsimile Number: 456-7739

FROM: Facsimile Number 708-4337

☒ Jeff Lischer☐ Ed Murphy☐ Mike Moran☐ Patrick Farley☐ Al Polsby☐ Celestine Smith☐ Pat Parker☐ Glenna Carroll☐ Fred Block☐ Barbara Leon

COMMENTS:

IF PROBLEMS OCCUR DURING TRANSMISSION, PLEASE CALL (202) 708-1793

HOME INVESTMENT PARTNERSHIPS ACT(NAAA)
of 1990See
amendments,
attached.SEC. 220. MATCHING REQUIREMENTS.

(a) **CONTRIBUTION.**—Each participating jurisdiction shall make contributions to affordable housing assisted under this title that total, throughout a fiscal year, not less than—

- (1) 25 percent of the total funds drawn from the jurisdiction's HOME Investment Trust Fund in that fiscal year with respect to rental assistance and housing rehabilitation;
- (2) 33 percent of the total funds drawn from the jurisdiction's HOME Investment Trust Fund in that fiscal year with respect to substantial rehabilitation; and
- (3) 50 percent of the total funds drawn from the jurisdiction's HOME Investment Trust Fund in that fiscal year with respect to new construction.

Such contributions shall be in addition to any amounts made available under section 216(3)(A)(ii).

(b) **RECOGNITION.**—

(1) **IN GENERAL.**—A contribution shall be recognized for purposes of subsection (a) only if it—

(A) is made with respect to housing that qualifies as affordable housing under section 215; or

(B) is made with respect to any portion of a project not less than 50 percent of the units of which qualify as affordable housing under section 215.

(2) **ADMINISTRATIVE EXPENSES.**—Contributions for administrative expenses shall be recognized only up to an amount equal to 7 percent of funds provided for investment under this title.

(c) **FORM.**—Such contributions may be in the form of—

(1) cash contributions from non-Federal resources, which may not include funds from a grant made under section 106(b) or section 106(d) of the Housing and Community Development Act of 1974;

(2) payment of administrative expenses, as defined by the Secretary, from non-Federal resources, which may include funds from a grant made under section 106(b) or section 106(d) of the Housing and Community Development Act of 1974;

(3) the value of taxes, fees, or other charges that are normally and customarily imposed but are waived, foregone, or deferred in a manner that achieves affordability of housing assisted under this title;

(4) the value of land or other real property as appraised according to procedures acceptable to the Secretary; and

(5) the value of investment in on-site and off-site infrastructure directly required for affordable housing assisted under this title.

(d) **REDUCTION OF REQUIREMENT.**—If a jurisdiction demonstrates to the satisfaction of the Secretary that a reduction of the matching requirement specified in subsection (a) is necessary to permit the jurisdiction to carry out the purposes of this title, the Secretary may reduce the matching requirement during a period not to exceed 3 years after the jurisdiction is first designated as a participating jurisdiction. Such reduction shall be not more than 75 percent in the first year, not more than 50 percent in the second year, and not more than 25 percent in the third year. [42 U.S.C. 12750]

amended
in
1992

HCD Act of 1992

PUBLIC LAW 102-550—OCT. 28, 1992

106 STAT. 3755

SEC. 210. MATCHING REQUIREMENTS.

(a) **TIERED CONTRIBUTION.**—Section 220(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12750(a)) is amended—

(1) in paragraph (1)—

(A) by striking “and” and inserting a comma;

(B) by inserting “and substantial rehabilitation” after “rehabilitation”; and

(C) by inserting “and” after the semicolon;

(2) in paragraph (2)—

(A) by striking “33” and inserting “30”; and

(B) by striking “substantial rehabilitation; and” and inserting “new construction.”;

(3) by striking paragraph (3); and

(4) in the matter preceding paragraph (1), by striking “affordable housing assisted under this title” and inserting “housing that qualifies as affordable housing under this title”.

(b) **FORM.**—Section 220(c) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12750(c)) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(3) by adding at the end the following:

“(6) up to—

“(A) 50 percent of proceeds from bond financing validly issued by a State or local government, agency or instrumentality thereof, or political subdivision thereof, and repayable with revenues derived from a multifamily affordable housing project financed, and

“(B) 25 percent of proceeds from bond financing validly issued by a State or local government, agency or instrumentality thereof, or political subdivision thereof, and repayable with revenues derived from a single-family project financed, but not more than 25 percent of the contribution required under subsection (a) may be derived from these sources;

“(7) the reasonable value of any site-preparation and construction materials and any donated or voluntary labor in connection with the site-preparation for, or construction or rehabilitation of, affordable housing; and

“(8) such other contributions to affordable housing as the Secretary considers appropriate.”.

(c) **REDUCTION OF REQUIREMENT.**—Section 220 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12750) is amended by striking subsection (d) and inserting:

“(d) **REDUCTION OF REQUIREMENT.**—

“(1) **IN GENERAL.**—The Secretary shall reduce the matching requirement under subsection (a) with respect to any funds drawn from a jurisdiction’s HOME Investment Trust Fund Account during a fiscal year by—

“(A) 50 percent for a jurisdiction that certifies that it is in fiscal distress; and

“(B) 100 percent for a jurisdiction that certifies that it is in severe fiscal distress.

“(2) **DEFINITIONS.**—For purposes of this section—

“(A) ‘fiscal distress’ means a jurisdiction other than a State that satisfies 1 of the distress criteria set forth in paragraph (3); and

106 STAT. 3756

PUBLIC LAW 102-550—OCT. 28, 1992

"(B) 'severe fiscal distress' means a jurisdiction other than a State that satisfies both of the distress criteria set forth in paragraph (3).

"(3) DISTRESS CRITERIA.—For purposes of a jurisdiction other than a State certifying that it is distressed, the following criteria shall apply:

"(A) POVERTY RATE.—The average poverty rate in the jurisdiction for the calendar year immediately preceding the year in which its fiscal year begins was equal to or greater than 125 percent of the average national poverty rate during such calendar year (as determined according to information of the Bureau of the Census).

"(B) PER CAPITA INCOME.—The average per capita income in the jurisdiction for the calendar year immediately preceding the year in which its fiscal year begins was less than 75 percent of the average national per capita income during such calendar year (as determined according to information of the Bureau of the Census).

"(4) STATES.—In determining the degree to which a jurisdiction that is a State is distressed, the Secretary shall take into consideration the State's fiscal capacity and expenditure needs as determined by a national organization which compiles the relevant data.

"(5) WAIVER IN DISASTER AREAS.—If a participating jurisdiction is located in an area in which a declaration of a disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act is in effect for any part of a fiscal year, the Secretary may reduce the matching requirement for that fiscal year under subsection (a) with respect to any funds drawn from a jurisdiction's HOME Investment Trust Fund Account during that fiscal year by up to 100 percent."

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to fiscal year 1993 and each fiscal year thereafter.

42 USC 12750
note.

WHY SHOULD WE INCREASE POLICE FORCE LEVELS AND EXPAND COMMUNITY POLICING EFFORTS?

INCREASE IN NUMBER OF CRIMES

- THE NUMBER OF VIOLENT CRIMES REPORTED HAS REACHED RECORD LEVELS IN RECENT YEARS -- UP ALMOST 30% SINCE 1987.
- THE NUMBER OF MURDERS REPORTED HAS HIT ALL-TIME HIGHS IN RECENT YEARS -- UP ALMOST 25% SINCE 1987.

DROP IN NUMBER OF POLICE OFFICERS

- IN 1948, THERE WERE 3.32 POLICE OFFICERS FOR EVERY VIOLENT CRIME REPORTED IN OUR CITIES. BY 1978, THIS RATIO HAD DROPPED TO .5 POLICE OFFICERS PER VIOLENT CRIME.
- THE TREND IN POLICE FORCE LEVELS HAS BEEN "TO DO MORE WITH LESS," AND IN MANY CITIES THE NUMBER OF POLICE OFFICERS HAS DECLINED IN ABSOLUTE TERMS.
 - IN 1950, BOSTON HAD 2,800 POLICE OFFICERS; BY 1982, IT HAD ONLY 1,800.
 - FROM 1970 TO 1982, DETROIT LOST 20% OF ITS POLICE FORCE.
 - PITTSBURGH LOST 25% DURING THE SAME TIME PERIOD.

AGING OF POLICE FORCE

- BECAUSE THE TYPICAL RESPONSE TO CUT BACK ON MANPOWER AT POLICE DEPARTMENTS IS TO PUT OFF HIRING NEW POLICE OFFICERS, THE AVERAGE AGE OF POLICE FORCES AROUND THE COUNTRY HAS INCREASED.
 - THE AVERAGE AGE OF AN OFFICER IN BUFFALO, NY IS 42 YEARS.
 - IN BOSTON, IT IS 44 YEARS.
 - AND IN NEW YORK, FULLY 75% OF THE POLICE FORCE IS EITHER ELIGIBLE FOR RETIREMENT OR WILL BECOME ELIGIBLE WITHIN FIVE YEARS.

INNOVATIVE USE OF ADDITIONAL OFFICERS

- POLICE CHIEFS CAN INNOVATIVELY USE ADDITIONAL OFFICERS TO EXPAND COMMUNITY POLICING EFFORTS AND PREVENT CRIME.
- ADDITIONAL PERSONNEL CAN BE USED IN FOOT PATROLS TO TARGET PARTICULAR AREAS AND TYPES OF CRIME -- MUGGINGS ON SUBWAYS, ROBBERIES IN BUSINESS DISTRICTS, DRUG CRIMES IN PUBLIC HOUSING, ETC.
- IN LOS ANGELES, WHERE SINCE APRIL 10TH POLICE CHIEF WILLIE WILLIAMS HAS INCREASED POLICE PROTECTION, MAJOR CRIME HAS DROPPED 30 TO 40 PERCENT -- AND IN SOME AREAS AS MUCH AS 60 PERCENT.
- IN NEW YORK CITY, COMMUNITY POLICING EFFORTS WERE PROMOTED AND CRIME FELL IN MOST CATEGORIES FOR THE FIRST-TIME IN YEARS.
- MOST MAJOR CITIES WOULD LIKE TO HIRE MORE POLICE. LOS ANGELES WOULD LIKE TO ADD SOME 2,000 NEW OFFICERS; NEW YORK WOULD LIKE TO ADD ABOUT ANOTHER 5,000. AND SO WOULD SAN DIEGO HAS, WHICH HAS ONE OF THE LOWEST POLICE PER INHABITANT RATIOS IN THE COUNTRY.
- POLICE DEPARTMENTS AND LOCAL COMMUNITIES THAT HAVE FORMED COMMUNITY POLICING PARTNERSHIPS TO FIGHT CRIME -- AND THAT MIGHT BENEFIT FROM INCREASED POLICE FORCE LEVELS INCLUDE:
 - ST, LOUIS, MO
 - RENO, NV
 - NEW YORK CITY
 - SAN DIEGO, CA
 - PORTLAND, OR
 - FT. PIERCE, FL
 - GASTON, NC
 - PRINCE GEORGE'S COUNTY, MD
 - TEMPE, AZ

DRAFT PROPOSAL

I. Jobs Package Component -- Re-Hire/New Hire Proposal

- \$200 million for FY 1993 to re-hire or hire new police officers.
- Would come from CDBG funds already in stimulus package.
- Strict regulations required to ensure that money was used for police.
- HUD would have to collect data on lay offs and give preference to those localities.
- Funding mechanism/formula undetermined.

TOTAL NEW POLICE -- 10,000

II. Crime Bill Component -- Police on Our Streets Act

- Establish single grant program entitled "Police on Our Streets Acts" (POSA). Incorporate into structure of Byrne Grants.
- If Police Corps options memo leads to downsizing, leftover funds should be invested in POSA.
- Roll community policing/cop on the beat funds into POSA.
- Determine appropriate limit on use of funds for training and technical assistance, equipment cost, etc.
- Require states and localities to supplement, not supplant their current spending on police.
- Require states and localities to provide some type of assurance that they would keep hires on after three years.
- Total funding available (including some type of Police Corps) \$2.299 billion over five years.

TOTAL NEW POLICE -- 55,000 TO 70,000

III. Enterprise Zone Component -- Community Investment Program

- \$500 million available in FY 93.
- Should be integrated into POSA.

TOTAL NEW POLICE -- 15,000 TO 17,000

IV. HUD Component -- COMPAC

- Combines new funds with old Drug Elimination Grants to create new Community Partnerships Against Crime (COMPAC).
- Almost \$1.5 billion over five years.
- Will fund long-term crime strategies developed by local housing authorities.
- Allows use of funds for new hires and community policing on public housing.

TOTAL NEW POLICE -- 5,000

VI. Department of Education Component -- Safe Schools

- Authorizes \$75 million for Safe Schools initiative in FY 94. Will be rolled into Drug-Free Schools Reauthorization later in the year and funded at \$100 million level thereafter.
- Allows use of funds for metal detectors, security personnel, anti-violence and anti-drug curricula, conflict resolution and peer mediation, etc.
- include use of funds for school-based community policing efforts.

TOTAL NEW POLICE -- 100 TO 500

VII. National Service Component -- Community Service Officers

- 20,000 National Service participants will be available for law enforcement/public safety roles. No specific funding level set.
- Working definition: National Service Officers (NSOs) are national service personnel who perform community service by assisting in non-hazardous public safety service.
- Examples include: handling minor investigations, assisting in residential crime prevention, staffing telephone reporting unit, mediating complaints, attending community meetings, preparing reports of past crimes, analyzing crime data, reducing crime directed against the elderly, provide social service referrals, conducting community surveys, etc.

TOTAL NEW NSOs -- 20,000

VI. Military Component -- Troops to Cops Demonstration Programs

- Promote the use of involuntarily separated military personal with more than 15 but less than 20 years of service. As authorized by last year's DoD authorization, these individuals can earn pension credits for service as law enforcement officers.
- Develop a demonstration project loosely-based on "Troops to Teachers" provision in last year's DoD authorization. Some \$65 million remains unspent for this program, and law enforcement training should be entitled to at least \$20 million of these funds.

TOTAL NEW POLICE -- 0 (TO BE COUPLED W/OTHER FUNDS)

VII. Labor Components -- Dislocated Worker Demonstration Programs

- Develop demonstration projects to be able to use JTPA funds. Authority to undertake such demos has existed since the FY 1991 DoD Authorization.
- As much as \$75 million may still be available for such demos.

TOTAL NEW POLICE -- 0 (TO BE COUPLED W/OTHER FUNDS)

In Big Cities, the Blue Are Turning Gray

An aging police force can be a problem in more ways than one.

BY ROB GURWITT

In these days of miserly city budgets, you've got to envy the Denver Police Department. Not only has it been given enough money to keep itself at full strength, but it's actually hiring more people than it needs.

This is not some miracle of bureaucratic politicking or part of a law-and-order appeal to the citizenry. It's just good demographic planning.

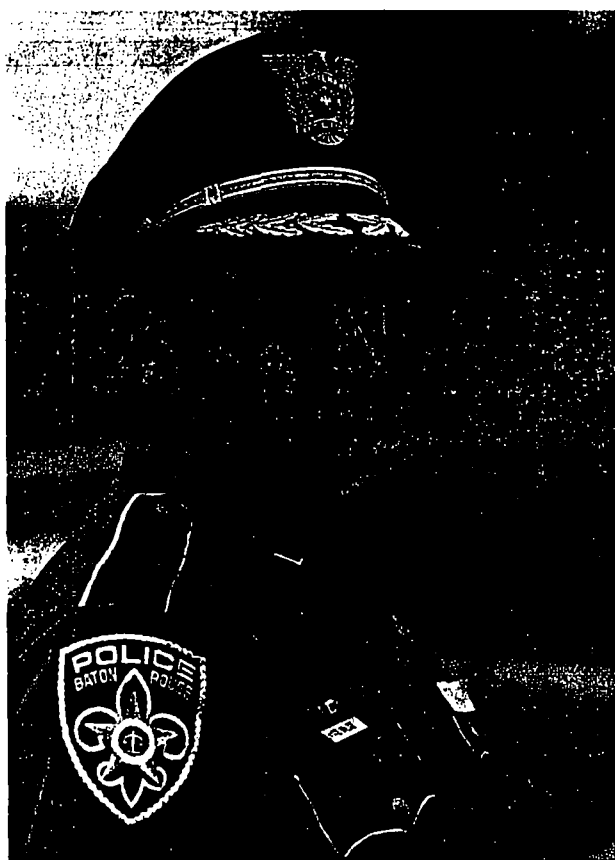
By 1997, Denver has estimated, almost half its current police force of 1,350 officers will be eligible to retire. That's because, spurred by worries about crime and by the city's rapid growth, the police department bulked up during the late 1960s and '70s. "It's this huge tidal wave that built up 25 years ago, and is now coming in," says Martin Flahive, a principal analyst in the city's finance office.

Denver is not alone. Other cities around the country face a similar dilemma, although not always as dramatic. Many police departments grew rapidly in the late 1960s and 1970s, propelled not only by civic distress over street crime but by generous federal subsidies through revenue sharing and grants from the Law Enforcement Assistance Administration. As a result, there are a lot of veterans who were hired then and are now approaching the 20- or 25-year mark where they become eligible for retirement.

In and of itself, a pool of potential retirees doesn't have to cause a lot of concern. For one thing, not all of them will retire at once—especially in the current economy, there aren't a lot of police officers clamoring to join the civilian labor force. Moreover, hiring new officers can be good for an organization. It brings in fresh blood, and is likely to be cheaper, since a 22-year-old officer

costs his or her department less than a 45-year-old.

The problem isn't so much age as it is numbers. "Due to fiscal constraints, there is an imbalance in many jurisdictions between the number of officers leaving through attrition and the number being hired," says Sheldon



As more officers approach retirement age, the worry is that their experience will be lost.

Greenberg, associate director of the Police Executive Research Forum, a think tank for urban police departments. Over the next five years, he adds, as the number of potential retirees increases, the shortage is going to get worse.

Cleveland is a good example of the problem. In the recent past, police retirements there have averaged between 80 and 120 a year. But in 1991, the

number of police academy recruits was only 65. This year, Cleveland hopes to graduate 88 new officers, but it expects as many as 125 to leave. "Our financial constraints just have not allowed us to keep up with attrition," says Steve Strnisha, the city's finance director.

So, unable to keep pace, the police department has had to look for other ways to maintain its effectiveness. The city is counting heavily on a recent labor arbitration ruling that allows the department to put more one-person cars on the street. The number of personnel on the street may decline, but at least the vehicles will be out there for potential lawbreakers to notice. "Because we don't have the opportunity to

throw people at the problem anymore, this allows the police a greater level of visibility, which we hope will deter crimes," says Darlene McCoy, chief of staff to Mayor Michael White.

There are other cities facing similar worries. Boston hasn't been able to hire any new officers in almost two years. Baltimore, which had been holding its own, discovered this summer that the state is cutting special grants to police departments; with general cuts in state aid also being passed along to all city departments, the police may find themselves losing ground.

IN DENVER, THE concern is somewhat different. This upcoming wave of retirements is not the city's first; it went through similar circumstances a few years ago, when a group of officers hired after a 1958 scandal left pretty much en masse. The city learned then that it needed to worry not so much about replacing the officers themselves, but about losing their experience.

"The last time we had to add officers, we would have officers with only a year or two of experience supervising recent graduates from the academy. We don't want to go through that again," says Tracy Howard, Denver's deputy manager of safety. "The concern in the police department now is to have experienced officers in the field

when the bulge hits us."

With that in mind, the police department has gotten the city's go-ahead to hire more officers than it had been authorized, at an estimated additional cost of \$3 million to \$4 million over the next few years. That way, when the greatest need for seasoned police hits in four or five years, they'll be available.

Even so, says Flahive, that may not be enough. As a result, the city is considering other steps, such as increasing pension benefits for longer tours of duty. The hope, of course, is that more officers will choose to stay on.

Neither approach is risk-free. By increasing the department's strength to 100 officers or more above the authorized level for the next few years, Howard admits, Denver may be building up expectations for a level of service that it will no longer be able to meet when the retirement wave hits. "People on the city council, in the mayor's office, on the street, they'll say that with all these officers we can put back services we'd been cutting. But a day of reckoning will come when we have to decide whether we maintain this high level of service or go back down to where we're supposed to be."

One of the most difficult problems is that no city can be sure of just how many retirements it is going to have in any one year. "While we have a pretty good sense of when people will leave," Cleveland's Steve Strnisha says, "the actual number is based on a collection of individual decisions by people with their own psychological, emotional and economic considerations."

Even in cities that can afford to replace every retiree, waiting until the actual number of vacancies is known usually means the force is shorthanded for a while—it can take up to a year for recruits to go through their background checks, graduate from the police academy and get some field training.

St. Petersburg, Florida, however, has begun a program aimed at providing a constant pool of trained personnel. Potential officers go to classes at the criminal justice institute at a local community college on their own time, paying for the training themselves. Once they graduate, they're eligible to be hired not only by the local force, but by any police department in the state. Whenever the St. Petersburg department

needs to hire someone, it simply dips into the ranks of graduates—either those working for another jurisdiction or those still waiting to be placed. The city does not need to wait until it has 15 or 20 vacancies so it can get the cost benefits of running a large academy class.

"Even in the event we had a significant number of people retiring at the same time, it would take us no more than a month to fill those positions," says Mack Vines, the assistant city manager for police operations and a former chief in St. Petersburg, Dallas and Charlotte, North Carolina. "We can have them on the street with a field training officer in no time."

WHILE THE AGING OF POLICE forces has forced some cities to begin planning for their retirement, many have been slower to deal with a related issue: the fact that the average age of some police forces has been creeping up. In the country overall, says Sheldon Greenberg, "the average age in police departments was 26 or 27 in the 1970s. Today, you're seeing average ages of 38 and 40."

That is not, in and of itself, a cause for concern. What older officers lack in physical agility, they often make up in wisdom.

Older officers, says Lieutenant Martin McDermott, spokesman for the Louisville Police Department, "are not as quick to get into a high-speed pursuit—they understand and appreciate

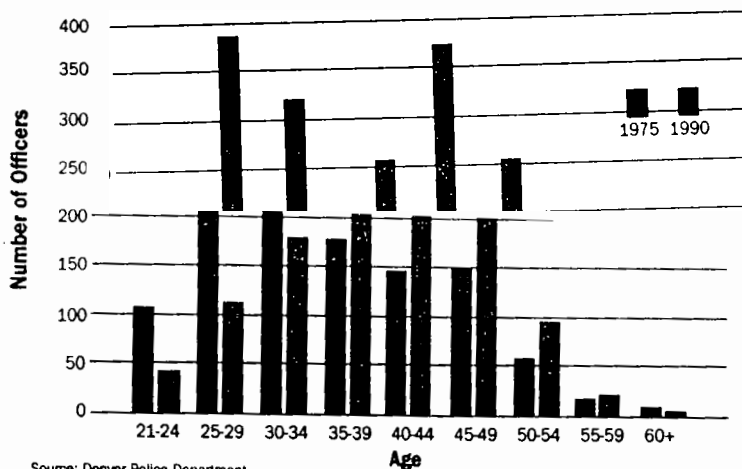
risks to the public in general. They have the experience that allows them to look at a domestic violence situation and be able to calm the situation down without resorting to force." As cities around the country embrace the philosophy of community policing, which strives to turn officers into community problem solvers, experience and coolheadedness are likely to be valuable qualities.

But if an aging force brings benefits, it also has to be planned for, especially in the realm of physical fitness. That, says Greenberg, is a task police forces have by and large failed at. "With this issue of aging, police departments have been slow to grasp the value of fitness standards and fitness programming," he says. "Where officers are well fit—physically, mentally and emotionally—it's because they have shown initiative and self-respect."

Greenberg says that a few police departments—in San Diego and in Prince George's County, Maryland, for example—have pushed fitness, but most have tried to avoid the issue. "If you establish a medical screening program, how are you going to deal with the results if 15 percent of your officers have high blood pressure or are overweight to the point of interfering with good health?" he asks. "Do you assume the liability of allowing them to stay on patrol or in dangerous situations? The answer is, of course you do, because you can't deplete your resources by 10 or 15 percent."

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POLICE IN DENVER: ONE CITY'S AGING FORCE



Source: Denver Police Department

Exhibit 3

Police Workloads in 1989 N=287

	Median	Large Cities (>500,000 residents)
Reported Part I Crimes	4,549	31,502
Part I Arrests	1,180	8,495
Felony Drug Arrests	235	2,400
Calls for Service	4,056	302,073
Accident Reports	2,609	12,339

Judges and trial court administrators (TCA's) also reported significant increases in their felony caseloads over the previous several years. Further, more than 60 percent of TCA's and 56 percent of judges reported that felony cases were increasingly complex. About half reported that multiple-defendant cases had increased.

More judges responded to the 1990 NAP survey than in 1986, perhaps reflecting judges' desires to convey the increased pressures they felt because of drug cases. One judge in Georgia commented that without more staff, "we will just have to let the civil cases slide and try to take care of the worst of the felonies."

Probation and parole. Probation and parole caseloads were up from 1986 reported levels. As noted earlier, probation-only agencies reported a median caseload of 120 per supervisor, up from 109 in the 1986 survey. Similarly, parole-only agency caseloads increased from 65 to 75 per supervisor. Clearly, the heaviest loads were found in probation and the lighter loads, if a median of 65 can be considered "light," were in parole.

In addition to drug case increases, more than 85 percent of probation and parole agency directors reported that staffing simply had not kept pace with the overall increase in offenders. One probation and parole administrator reported that "due to unmanageable caseload levels, we opted this year to place 1,600 minimum-risk individuals in an unsupervised caseload with no reporting." Other agencies reported having added specialized drug caseload officers.

Judges and trial court administrators. In addition to drug-case increases, more than half of judges and trial court administrators

reported the following factors as contributing to increased workloads:

- Number of judgeships had not kept up with new cases.
- Prosecutors did not screen cases as much as possible.
- Too many continuances.
- Inadequate computer information systems.

The survey also asked respondents to list successful techniques for reducing court delay. One frequently mentioned effort was same-day jury trials. A judge explained his court's misdemeanor pilot project as follows:

You ask for a jury trial today, you get one today. Most defendants really do not want a jury trial. The project has put them to the test and has slowed our misdemeanor docket down substantially.

Another reported technique to reduce court delay was an early disposition program in which a prosecutor and public defender are assigned to each case within 24 hours. One court created the "Have Gavel Will Travel" plan, saving the transport of 40 to 50 inmates a day by sending the judge out of the court for arraignments and pleas.

Public defenders. In 1989, the typical public defender's office was staffed with 6 attorneys and was assigned 1,500 felony cases and 1 death penalty trial. Offices in large jurisdictions had about 99 attorneys, 18,000 felony cases, and 2 or 3 death penalty trials. As noted earlier, drug cases were a major factor in increased public defender caseloads. Other factors of

particular concern to public defenders were as follows:

- Eighty-two percent reported that prosecutors overcharged on indictments.
- Eighty-two percent said increased sentencing for certain crimes was a problem.
- Seventy-nine percent reported that the number of attorneys was inadequate for the caseload.
- Seventy-three percent noted that mandatory sentencing contributed to workload increases.
- Seventy-three percent said police overcharged on arrests.

Staffing issues

One section of the survey asked all agencies to indicate staffing problems related to number of personnel, recruitment, retention, and training. A detailed discussion of responses is not possible for this report, but a few highlights are discussed below.

For probation and parole agencies, limited staff and caseloads composed of serious offenders created problems that exemplified the impact of violent crime on the criminal justice system. The situation was expressed this way by one agency administrator:

We lack resources to address the needs of early offenders, most of whom are diverted to clear the calendar for more serious and/or repetitive offenders. This also results in more difficult and dangerous defendants being placed on probation. This places us in more of a surveillance mode rather than a treatment mode.

Another probation administrator noted that "levels of supervision have been significantly reduced with thousands of cases receiving only minimal contact or services."

Shortages of qualified minority applicants was the most significant recruitment problem for many criminal justice agencies. It was reported as a problem for 69 percent of police departments and 60 percent of sheriffs. Among prosecutors, the need for qualified minority applicants had almost doubled in the 4 years prior to 1990. Other recruitment problems for police were related to low salaries (42 percent) and applicants not passing the written examination (35 percent).

Comparison of Senate and House Versions of the Police Hiring/Community Policing Proposal

	SENATE	HOUSE	RECOMMENDATION
OVERALL FUNDING:	\$8,995,000,000 for period from FY94 through FY98.	\$3,450,000,000 for period from FY94 through FY99.	
DURATION:	Police hiring grant authority terminates 6 years after enactment. Duration of grants (including renewals) limited to 6 years for police hiring grants and 3 years for other grants.	Same.	
FUNDING ALLOCATION (GRANTS VS. OTHER):	Up to 5% of funding for technical assistance and evaluations, and up to 5% for administrative costs. Remainder for grants.	Same.	
FUNDING ALLOCATION (PURPOSES):	At least 85% of grant money for rehiring laid-off officers and hiring new officers. Up to 15% for other purposes.	At least 85% of grant money for rehiring laid-off officers and hiring <u>and training</u> new officers. Up to 15% for other purposes.	
FUNDING ALLOCATION (GRANTEES):	40-60 split between municipalities with populations exceeding 150,000 and other grantees.	50-50 split between municipalities with populations exceeding 100,000 and other grantees.	
FUNDING ALLOCATION (PER STATE):	Each state, together with grantees in state, to receive at least 0.6% of grant funding.	Each state, together with grantees in state, to receive at least 0.25% of grant funding.	

SENATE		HOUSE	RECOMMENDATION
PER OFFICER CEILING:	Waivable <u>annual</u> cap of \$50,000 per officer.	Waivable <u>overall</u> cap of \$75,000 per officer.	
MATCHING FUNDS:	Waivable ceiling of 75% on federal contribution. Attorney General shall preferentially consider, where feasible, police hiring applications involving grantee contribution exceeding 25%.	Waivable ceiling of 75% on federal contribution. Attorney General may preferentially consider police hiring applications involving grantee contribution exceeding 25%.	
DEFENSE CONVERSION:	Express authorization of use of funds to hire former military. Attorney General shall, where feasible, preferentially consider applications for former military hires.	No special provisions concerning former military hires.	
INDIAN TRIBES:	Permits direct applications to Attorney General for grants by Indian tribes. Provides that funding for tribes is to supplement their Interior Department funding, and that "appropriate amount" of funding is to be provided to tribes.	No special provisions concerning Indian tribes.	

	SENATE	HOUSE	RECOMMENDATION
AFFIRMATIVE ACTION:	No affirmative action provisions.	Generally requires that applications for police hiring grants include affirmative action plans to correct under-representation, and that grantee evaluations include geographic, racial, ethnic, and gender hiring information.	
PREAMBLE:	Includes preamble containing findings and statement of purposes.	No preamble.	
NON-HIRING OBJECTIVES:	Augments basic list of non-hiring community policing objectives with express reference to citizens police academies and decentralized satellite offices of criminal courts.	Augments basic list of non-hiring community policing objectives with express objective relating to coordination of community policing programs with other federal programs serving communities.	
APPLICATION PROCESS:	Somewhat complex and confusing provisions concerning ranking and prioritization of grant applications by central state offices.	Simple provision for review and ranking of grant applications by central state offices based on criteria specified by Attorney General.	

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Commerce and Justice Branch
(202) 395-3914
(202) 395-1150 Fax

Facsimile Cover Sheet

of Pages: 4 (Including Cover Sheet)

Transmitted To:
Name:

JOSE

456-7739

From:

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Christopher Brown
Anita Ford
Ronald Jones
Louisa Koch
Brad Kyser
Lin Liu

Jeff Payne
John Serlemitsos
Adrien Silas
Jeffrey Payne
John Serlemitsos
Vernetta Tanner

SUBJECT/COMMENTS:

Funding Required to Meet the 100,000 Police Pledge12-May
03:33 PM

Total Available Funding	\$500,000,000	\$569,000,000	\$531,000,000	\$612,000,000	\$662,000,000	
	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>Total Officers</u>
New Officers in 1994 Available BA # of Cops funded	500,000,000 12,121	266,666,667	133,333,333	66,666,667		12,121
New Officers in 1995 Available BA # of Cops funded		302,333,333 7,329	161,244,444	80,622,222	40,311,111	7,329
New Officers in 1996 Available BA # of Cops funded			236,422,222 5,731	126,091,852	63,045,926	5,731
New Officers in 1997 Available BA # of Cops funded				338,619,259 8,209	180,596,938	8,209
New Officers in 1998 Available BA # of Cops funded					378,046,025 9,165	9,165
Assumptions:						
Percent funding of Cop	Year 1 0.75	Year 2 0.4	Year 3 0.2	Year 4 0.1		42,556
Full Cost of an Officer	\$55,000		<u>Scenario: Lowest Workable Est.</u>			
Fed. Subsidy per Officer	\$41,250	\$22,000	\$11,000	\$5,500		
* BA from Investment Package	50000000	319000000	531000000	612000000	662000000	
BA from Stimulus Package	200000000	0	0	0	0	
BA from Econ. Empower. Act	250000000	250000000	0	0	0	

* Assumes Police Corps Demo funded at \$25M annually

(1)

FAX
456-
7739

Funding Required to Meet the 100,000 Police Pledge12-May
03:37 PM

Total Available Funding	\$500,000,000	\$569,000,000	\$531,000,000	\$612,000,000	\$662,000,000	
	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>Total Officers</u>
New Officers in 1994						
Available BA	500,000,000	333,333,333	166,666,667	66,666,667		
# of Cops funded	10,256					10,256
New Officers in 1995						
Available BA		235,666,667	157,111,111	78,555,556	31,422,222	
# of Cops funded		4,834				4,834
New Officers in 1996						
Available BA			207,222,222	138,148,148	69,074,074	
# of Cops funded			4,251			4,251
New Officers in 1997						
Available BA				328,629,630	219,086,420	
# of Cops funded				6,741		6,741
New Officers in 1998						
Available BA					342,417,284	
# of Cops funded					7,024	7,024
Assumptions:						
	Year 1	Year 2	Year 3	Year 4		33,106
Percent funding of Cop	0.75	0.5	0.25	0.1		
Full Cost of an Officer	\$65,000		<u>Scenario: High-end Assistance</u>			
Fed. Subsidy per Officer	\$48,750	\$32,500	\$16,250	\$6,500		
* BA from Investment Package	50000000	319000000	531000000	612000000	662000000	
BA from Stimulus Package	200000000	0	0	0	0	
BA from Econ. Empower. Act	250000000	250000000	0	0	0	

* Assumes Police Corps Demo funded at \$25M annually

Funding Required to Meet the 100,000 Police Pledge

12-May

03:40 PM

Total Available Funding	\$500,000,000	\$569,000,000	\$531,000,000	\$612,000,000	\$662,000,000	
	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>Total Officers</u>
New Officers in 1994						
Available BA	500,000,000	253,731,343	0	0		
# of Cops funded	14,925					14,925
New Officers in 1995						
Available BA		315,268,657	159,987,080	0	0	
# of Cops funded		9,411				9,411
New Officers in 1996						
Available BA			371,012,920	188,275,213	0	
# of Cops funded			11,075			11,075
New Officers in 1997						
Available BA				423,724,787	215,024,519	
# of Cops funded				12,649		12,649
New Officers in 1998						
Available BA					446,975,481	
# of Cops funded					13,343	13,343
Assumptions:						
	Year 1	Year 2	Year 3	Year 4		61,402
Percent funding of Cop	0.67	0.34	0	0		
Full Cost of an Officer	\$50,000					
Fed. Subsidy per Officer	\$33,500	\$17,000	\$0	\$0		
* BA from Investment Package	500000000	319000000	531000000	612000000	662000000	
BA from Stimulus Package	200000000	0	0	0	0	
BA from Econ. Empower. Act	250000000	250000000	0	0	0	

Scenario: Low-end Assistance, Extreme

* Assumes Police Corps Demo funded at \$25M annually

3

Funding Required to Meet the 100,000 Police Pledge

13-May

11:05 AM

Total Available Funding	\$500,000,000	\$569,000,000	\$531,000,000	\$612,000,000	\$662,000,000	
	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>Total Officers</u>
New Officers in 1994 Available BA # of Cops funded	500,000,000 13,333	166,666,667	100,000,000	66,666,667		13,333
New Officers in 1995 Available BA # of Cops funded		402,333,333 10,729	134,111,111	80,466,667	53,644,444	10,729
New Officers in 1996 Available BA # of Cops funded			296,888,889 7,917	98,962,963	59,377,778	7,917
New Officers in 1997 Available BA # of Cops funded				365,903,704 9,757	121,967,901	9,757
New Officers in 1998 Available BA # of Cops funded					427,009,877 11,387	11,387
Assumptions:						
Percent of Full Cost Funded	Year 1 0.75	Year 2 0.25	Year 3 0.15	Year 4 0.1		53,124
Full Cost of an Officer	\$50,000		Scenario:	JOSE'S		
Annual Fed. Subsidy per Officer	\$37,500	\$12,500	\$7,500	\$5,000	Total (Sum) =	\$62,500
* BA from Investment Package	500000000	319000000	531000000	612000000	662000000	↑ new
BA from Stimulus Package	200000000	0	0	0	0	
BA from Econ. Empower. Act	250000000	250000000	0	0	0	

* Assumes Police Corps Demo funded at \$25M annually

4

Table 1.41

Average starting salaries in local police departments

By size of population served and selected positions, United States, 1990

Population served	Average base starting salary ^a		
	Entry-level officer	Sergeant	Chief of police
All sizes	\$18,810	\$25,420	\$30,240
1,000,000 or more	28,560	40,420	55,320
500,000 to 999,999	25,110	33,900	47,300
250,000 to 499,999	23,370	35,120	42,770
100,000 to 249,999	24,960	34,330	50,190
50,000 to 99,999	23,300	32,140	51,800
25,000 to 49,999	23,150	31,800	48,400
10,000 to 24,999	21,630	28,950	40,930
2,500 to 9,999	18,710	24,110	29,960
Under 2,500	16,870	19,960	20,610

L.A. starting salary \$35,000 per year

Note: See Note, table 1.22. Average salaries are based on the minimum starting salary offered by a department and have been rounded to the nearest 10 dollars.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *State and Local Police Departments, 1960*, Bulletin NCJ-132284 (Washington, DC: U.S. Department of Justice, February 1962), p. 6, Table 14.

Table 1.42

Average starting salaries in sheriffs' departments

By size of population served and selected positions, United States, 1990

Population served	Average base starting salary ^a		
	Entry-level deputy	Sergeant	Sheriff
All sizes	\$17,420	\$21,878	\$33,538
1,000,000 or more	28,180	35,530	80,350
500,000 to 999,999	22,950	32,100	61,490
250,000 to 499,999	20,130	28,080	53,710
100,000 to 249,999	19,530	24,830	44,800
50,000 to 99,999	18,300	23,100	38,480
25,000 to 49,999	16,980	21,510	33,050
10,000 to 24,999	16,940	20,840	30,920
Under 10,000	15,980	18,580	24,530

Note: See Note, table 1.22. Average salaries are based on the minimum starting salary offered by a department and have been rounded to the nearest 10 dollars.

^aExcludes departments with no full-time employees in that position.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Sheriffs' Departments 1990*, Bulletin NCJ-133283 (Washington, DC: U.S. Department of Justice, February 1992), p. 7, Table 14.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

MEMORANDUM FOR THE DEPUTY DIRECTOR

THROUGH KEN SCHWARTZ

FROM: Christopher Brown

SUBJECT: Should the Administration make adjustments to the current Clinton budget plan to insure that the "100,000 new cops" pledge is fully achieved?

Background

Throughout his campaign and into his term of office, President Clinton has made numerous references to increasing the number of local law enforcement personnel fighting crime on America's streets. The current budget plan provides increased resources to local law enforcement, but does not appear to explicitly meet the President's goal. The major examples of the President's commitment follow:

"● Fight crime by putting 100,000 new police officers on the streets; create a National Police Corps and offer veterans and active military personnel a chance to become law enforcement officers." - Putting People First p. 72.

"I support not only the (Crime) bill which didn't quite make it to the President's desk last year but also an initiative to put 100,000 more police officers on the street"- President Clinton, State of the Union Address, February 17, 1993.

During the process of developing the Clinton budget proposal, the "100,000 cops" initiative went through multiple drafts. Initially, the program was to provide a Federal subsidy to States and localities equivalent to 75% of the estimated entry-level salary of an average new police officer recruit (\$24,000), or \$18,000, in her/his first year. The Federal subsidy would then decrease in each of the next three years, with States/ localities picking-up the entire cost of an officer by the fourth year. The officers would also have been required to be used in conjunction with community policing. This option put 100,000 cops on the street by 1998 and was to cost \$720 million in each of its peak years, 1997 and 1998.

During the budget development process, the crime initiative was decreased in cost. It was also expanded to encompass two new programs; the Criminal Records Upgrade/Brady Bill and the Police Corps program (originally intended to be funded from within the Department of Defense conversion initiative). Because the 100,000 cops program was minimally funded in its initial form, the whole option had to be scrapped and reformulated, as discussed below.

The Current Clinton Budget Proposal

Under the February 17th proposal, funding is provided for three new crime programs: a Community Policing/Cops on the Beat Grant Program; a Police Corps Program; and Criminal Records Upgrade (Brady Bill) Program. Funding for the total crime initiative is \$390 M in 1994 (\$950 M by 1997), of which \$100 M (\$500 M in 1997) is allocated to the *new* crime programs. Remaining funds are allocated to meet other Department of Justice needs such as opening of newly constructed prisons. The three new initiatives were modelled after provisions in last year's crime bill sponsored by Senator Biden. The table below summarizes funding levels for the new crime initiatives.

Crime Initiatives related to "100,000 cops" pledge.					
	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Community Policing/Cops on the Beat					
Budget Authority	50	175	250	300	350
Outlays	7	56	135	223	286
High-end Est. of New Cops	5,000	17,500	25,000	30,000	35,000
Police Corps Program					
Budget Authority	25	75	150	150	150
Outlays	9	56	146	164	174
Est. # of Officers Supported*	2,500	7,500	15,000	15,000	15,000
Criminal Records Upgrade/Brady Bill					
Budget Authority	25	50	50	50	50
Outlays	3	38	48	55	58
Est. # of Officers Supported	0	0	0	0	0

The Community Policing/Cops on the Beat initiative is intended to provide assistance to States and localities to promote and enhance community policing activities. Funds **must be used to supplement, not supplant, current policing efforts** and may be used to: recruit and hire new officers; provide special training; or support community programs to reduce crime. In practice, funds will likely be used for both hiring new officers and various community policing anti-crime programs. Requiring a 50% non-federal match, and estimating that for every \$20,000 spent on community policing activities one new officer will be hired, approximately 35,000 new officers would end up on the street by 1998.

The Police Corps program provides college scholarships to would-be police officers in exchange for a commitment to service as a State and local police officers. Candidates receive a stipend for tuition, books, and/or expenses of up to \$10,000 per year. Following their education, the candidates join their sponsoring police departments as fully trained, qualified, and compensated new recruits. The Police Corps program, while training cops, does not directly fund new police officers. However, since the Federal assistance acts as a subsidy for State and local police department training, the program can be "loosely" interpreted as putting new cops on the street (approx. 15,000 by 1998).

The Criminal Records Upgrade/Brady Bill provides grants to States to upgrade criminal

records and establish a computer infrastructure to link with the FBI's criminal records databases. This program is not expected to create any new police officer positions.

As it stands, the current Clinton budget proposal can be estimated to put the equivalent of 50,000 new officers on the street by 1998. It should be noted, however, that the current initiative and spending levels were not truly intended to meet the "100,000 cops" pledge and the estimate of the number of new officers created should be considered high-end.

Analysis

There are a variety of possible responses to the apparent shortfall in creation of police officer positions. Encompassed in the current Clinton budget, in fact, are various programs which provide law enforcement related assistance and could be used to help solve the 50,000 cop shortfall, if so desired. The following options represent possible directions/levels of administration policy which would address this issue.

Option 1: The estimate of 50,000 new cops on the street is sufficient. This option acknowledges that new law enforcement resources are needed, however, it also assumes that the current program is sufficient to provide an efficient and effective new direction for law enforcement policy in America. In fact, it is not absolutely clear that States and localities need 100,000 new police officers, a 17% increase to the total number of State and local officers currently on the street, to increase the public safety in the United States. In the November 30, 1992 issue of the *Law Enforcement News*, experts in law enforcement were asked to present their suggestions on law enforcement policy to "newly-elected" President Clinton. Although calls for more personnel resources were prevalent, a consistent support existed for community policing as the "new and innovative" means to increase public safety. The community policing grant program supports many of the comments by assisting police departments to move away from traditional police practices, thereby taking cops out of their vehicles and putting them back on the beat (Note: Clinton referenced this fact in *Putting People First*, pg. 72), and allowing communities the flexibility to put together localized strategies to fight crime.

Option 2: The estimate of 50,000 new cops on the street coupled with other programs in the Clinton budget plan sufficiently meets the "100,000 cop" pledge. This option counts resources from three other Clinton proposals, although not quantifiable, as supplementing the 50,000 cops currently in the crime initiative. The other programs include:

- National Service Program - The President and Vice-President have both publicly stated that police work will be included as part of the (\$3 B in 1997) service program. The following is an example:

"...Somebody who has college loans to pay off can either pay them off as a percentage of their paycheck or can pay them off by joining the National Service Corps, working in police work, community policing, ...", V.P.

Gore, Today Show, March 26, 1993.

If 10 - 15% of the total funding for the program alone were assumed to be used for police work, the Administration could reasonably estimate that the "100,000 cops" pledge was satisfied.

- HUD Urban Partnerships Against Crime - This program is funded at \$133 M in 1998 for grants to ensure safety for public housing residents against crime and drug related violence. A significant portion of this funding can be reasonably expected to go towards police or police equivalent positions.
- Community Investment Program/Weed and Seed - This program is funded at \$500 M in 1993, \$514 M in 1994 and eliminated thereafter, subject to enactment of authorizing language. The program is currently only a "shell" of funding awaiting authorizing language to give it substance. However, since all past forms of authorization language have included provisions for grants to support law enforcement, the final version is also expected to offer this option. Approximately \$30 - \$50 M could be reasonably expected to go towards law enforcement related activities each year.

Option 3: The estimate of 50,000 new cops on the street is not sufficient and requires additional resources. This option requires that \$360 M more funding in 1998 be made available to ensure a reasonable commitment to the President's to the "100,000 new cops" pledge. This assumption sets up an additional program within the crime initiative modelled after the initial form of the 100,000 cops program described in the background section of this paper. Since only 50,000 additional police need to be funded, half funding of the \$720 M proposal would be required (\$360 M). Similarly, this program would provide a Federal subsidy to States and localities equivalent to 75% of the estimated entry-level salary of an average new police officer recruit (\$24,000), or \$18,000, in her/his first year. The Federal subsidy would then decrease in each of the next three years, with States/ localities picking-up the entire cost of an officer by the fourth year. Additional resources be required to be used in conjunction with community policing and supplement, not supplant, current efforts. One possible source of additional funding is outlined below.

- Department of Transportation Appeal Windfall - Up to \$200 M in 1998 in funding is available in the database due to DOT settling their appeal with OMB at a lower level than expected. Some portion of this funding could be used for the "Cops subsidy" program or to supplement the Community Policing/Cops program.

Recommendation: Option 2

OMB staff maintains that the numerous programs in the Clinton plan which include law enforcement resources (especially the National Service Program) provide sufficient enough coverage to defend the "100,000 new cops" pledge and incorporates the best public policy choices given the political constraints. Additionally, there does not appear to be a significant

interest/lobby group that will follow this issue particularly closely, therefore causing undue difficulties for the administration.

Decision:

Option 1: _____

Option 2: _____

Option 3: _____

Other: _____ (Please note)

cc: Chris Edley

WORK IN PROGRESS

working draft in progress as revised 5.13.93

STILL MAY NEED TRAINING SECTION, ALLOCATION LANGUAGE & ENTERPRISE
ZONE PREFERENCE, EXPANDED APPLICATION INFORMATION {COMPREHENSIVE
PLAN?}/

A BILL

Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violent Crime Control Act and
Law Enforcement Act of 1993".

TITLE I - PUBLIC SAFETY AND POLICING

SEC. 101. SHORT TITLE.

This title may be cited as the "Public Safety Partnership
And Community Policing Act of 1993".

SEC. 102. FINDINGS AND PURPOSES.

(a) Findings. -- The Congress finds that --

(1) community-oriented policing ("cops on the beat")
enhances communication and cooperation between law enforcement
and members of the community; and

(2) such communication and cooperation between law
enforcement and members of the community significantly assists in
preventing and controlling crime and violence, thus enhancing
public safety.

(b) Purposes. -- The purposes of this Act are to --

(1) substantially increase, by up to 100,000, the number of
law enforcement officers interacting directly with members of the
community ("cops on the beat");

(2) provide additional and more effective training to law

+ no renewal provision
+ write-in detail (number)
+ require S+L's to continue
Reminding beyond period
of Federal Assist

FINDINGS
ON DROPS IN
POLICE FORCE
LEVELS?
FINDINGS
ON AGING FORCE

3 to 1 Ratio

enforcement officers to enhance their problem solving, service, and other skills needed in interacting with members of the community;

(3) encourage the establishment of decentralized police substations to facilitate interaction and cooperation between the public and law enforcement personnel to address problems of crime and disorder at the local level and to support community-oriented policing ("cops on the beat") ;

(4) encourage the development and implementation of innovative programs to permit members of the community to assist State and local law enforcement agencies in the prevention of crime in the community; and

(5) encourage the development of new technologies to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime.

SEC. 103. COMMUNITY POLICING; "COPS ON THE BEAT"

(a) In general. -- Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by --

- (1) redesignating Part Q as Part R;
- (2) redesignating section 1701 as section 1801; and
- (3) inserting after Part P the following new Part:

"PART Q -- PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON THE BEAT'

"SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND COMMUNITY POLICING GRANTS.

"(a) Grant authorization. -- The Attorney General is authorized to make grants to units of State and local government, and to other public and private entities, [COMBINATION LANGUAGE?] to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

"(b) Grant projects. -- Grants made under the authority of subsection (a) of this section may include programs, projects, and other activities to --

"(1) hire new, additional career law enforcement officers for deployment in communities across the Nation;

"(2) rehire law enforcement officers who have been laid off as a result of State and local budget reductions;

"(3) redeploy law enforcement officers to activities that are focused on interaction with members of the community on proactive crime control and prevention;

"(4) provide specialized training to law enforcement officers to enhance their conflict resolution, mediation, problem solving, service, and other skills needed in interacting with members of the community;

"(5) ;

"(6) develop new technologies to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime;

"(7) develop and implement innovative programs to permit members of the community to assist State and local law

enforcement agencies in the prevention of crime in the community;

"(8) establish decentralized police substations in those communities where it is necessary to improve crime control and prevention;

"(9) establish innovative programs to reduce, and keep to a minimum, the amount of time that law enforcement officers must be away from the community while awaiting court appearances;

"(10) establish and implement innovative programs to increase and enhance proactive crime control and prevention programs involving law enforcement officers and young persons in the community;

"(11) establish and implement innovative community-based crime prevention programs, such as senior citizen safety awareness programs, and other community anti-crime groups and organizations; and

"(12) establish and implement any project or program or undertake any activity that, in the judgment of the Attorney General, would further the purposes of this Act.

"(c) Technical assistance. -- (1) The Attorney General may provide technical assistance to units of State and local government, and to other public and private entities, in furtherance of the purposes of this title. The technical assistance provided by the Attorney General may include the development of a model that will define for State and local governments, and others public and private entities, definitions and strategies associated with community or problem-oriented policing and methodologies for its implementation. In developing

such a model, the Attorney General is encouraged to consult with experts in public safety and the criminal justice system.

"SEC. 1702. APPLICATIONS.

"(a) In general. -- No grant may be made under this part unless an application has been submitted to, and approved by, the Attorney General.

"(b) Form and content of application. -- An application for a grant under this part shall be submitted in such form, and contain such information, as the Attorney General may prescribe by regulation.

"(c) Decision of the Attorney General final. -- Any decision of the Attorney General to approve or disapprove, in whole or in part, an application for a grant under this part is final and is not subject to judicial review.

"SEC. 1703. REVIEW OF APPLICATIONS BY STATE OFFICE.

"(a) In general. -- Except as provided in subsection (c), an applicant for a grant under this part shall submit an application to the State office designated under section 507 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3757) in the State in which the applicant is located for initial review.

"(b) Initial review of application. -- (1) The State office referred to in subsection (a) of this section shall review applications for grants under this part submitted to it, based upon criteria specified by the Attorney General by regulation.

"(2) Upon completion of the reviews required by paragraph (1) of this subsection, the State office referred to in

subsection (a) shall determine which, if any, of the applications for grants under this part are most likely to be successful in achieving the purposes of the Public Safety Partnership and Community Policing Act of 1993.

"(3)(A) Based upon the determinations made under paragraph (2), the State office referred to in subsection (a) shall list the applications for grants under this part in order of their likelihood to achieve the purposes of the Public Safety Partnership and Community Policing Act of 1993 and shall submit the list along with all grant applications and supporting materials received to the Attorney General.

"(B) In making the submission to the Attorney General required by subparagraph (A), the State office referred to in subsection (a) may recommend that a particular application or applications should receive special priority and provide supporting reasons for the recommendation.

"(c) Direct application to the Attorney General. --
Notwithstanding subsection (a), the government of a municipality whose population exceeds 150,000 may submit an application for a grant under this part directly to the Attorney General.

"SEC. 1704. RENEWAL OF GRANTS.

"(a) Except for grants made for hiring additional career law enforcement officers, a grant under this part may be renewed for up to three additional years after the first fiscal year during which a recipient receives its initial grant, if the Attorney General determines that the funds made available to the

recipient during the previous year were used in a manner required under an approved application and if the recipient can demonstrate significant progress in achieving the objectives of the initial application.

"(b) Grants made for hiring additional career law enforcement officers may be renewed, subject to the requirements of subsection (a), but are not subject to the two-year limitation contained in that subsection.

"SEC. 1705. LIMITATION ON USE OF FUNDS.

"Funds made available under this part to State or local governments shall not be used to supplant State or local funds, but will be used to increase the amount of funds that would, in the absence of Federal funds, be made available from State or local sources.

[NEED TO ADD REHIRING EXCEPTION? -- PROVIDING ASSISTANCE FOR REHIRING IN DISTRESS SITUATIONS DOES NOT SUPPLANT STATE OR LOCAL FUNDS, BUT PROVIDES INCREASED FUNDING THAT WOULD NOT OTHERWISE BE SUPPLIED FROM STATE OR LOCAL SOURCES.]

"SEC. 1706. PERFORMANCE EVALUATION.

"(a) Evaluation components. -- Each program funded under this part shall contain an evaluation component, developed pursuant to guidelines established by the Attorney General, unless the Attorney General grants a waiver from this requirement.

"(b) Periodic review and reports. -- The Attorney General shall review the performance of each grant recipient under this

part. The Attorney General may require a grant recipient to submit to the Attorney General the results of the evaluations required under subsection (a) and such other data and information as the Attorney General deems reasonably necessary to carry out the responsibilities under this subsection [INSERT HERE ON FTE's, etc.]

"SEC. 1707. REVOCATION OR SUSPENSION OF FUNDING.

"If the Attorney General determines, as a result of the reviews required by section 1706, or otherwise, that a grant recipient under this title is not in substantial compliance with the terms and requirements of an approved grant application submitted under section 1702, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

"SEC. 1708. ACCESS TO DOCUMENTS.

"(a) By the Attorney General. -- The Attorney General shall have access for the purpose of audit and examination to any pertinent books, documents, papers, or records of a grant recipient under this part, as well as the pertinent books, documents, papers, or records of State and local governments, persons, businesses, and other entities that are involved in programs or projects for which assistance is provided under this part.

"(b) By the Comptroller General. -- The provisions of subsection (a) shall also apply with respect to audits and examinations conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

"SEC. 1709. GENERAL REGULATORY AUTHORITY.

"The Attorney General is authorized to promulgate regulations to carry out this part.

"SEC. 1710. DEFINITION.

"For purposes of this part, the term 'career law enforcement officer' means a person hired on a permanent basis and directly serving a State or local public agency in an official capacity, with compensation, involved in crime control or prevention or enforcement of the criminal laws."

(b) Technical amendment.-- The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711, et seq.) is amended by striking the material relating to Part Q and inserting the following:

"Part Q -- PUBLIC SAFETY AND COMMUNITY POLICING; 'COPS ON THE BEAT'

"Sec. 1701. Authority to make public safety and community policing grants.

"Sec. 1702. Applications.

"Sec. 1703. Review of applications by State office.

"Sec. 1704. Renewal of grants.

"Sec. 1705. Limitation on use of funds.

"Sec. 1706. Performance evaluation.

"Sec. 1707. Revocation or suspension of funding.

"Sec. 1708. Access to documents.

"Sec. 1709. General regulatory authority.

"Sec. 1710. Definition.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

Section 1001(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended --

(1) in paragraph (3) by inserting "P, and Q"; and

(2) by adding at the end the following new paragraph:

"(11) There are authorized to be appropriated to carry out Part Q \$1,000,000,000 for each of the fiscal years 1994, 1995, 1996, 1997, and 1998. Of funds authorized and appropriated under this paragraph, up to [1%] may be used for technical assistance. Of the remaining funds, 60% shall be allocated for grants pursuant to applications submitted as provided in section 1703(a), and 40% shall be allocated for grants pursuant to applications submitted as provided in section 1703(c). Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(a), 75% shall be applied to grants for the purposes specified in subsection (b)(1), (2), and (3) of section 1701, up to 25% may be applied to grants for other purposes, and no more than 5% may be applied for purposes of administration and evaluation. Of the funds available in relation to grants pursuant to applications submitted as provided in section 1703(c), 75% shall be applied to grants for the purposes specified in subsection (b)(1), (2), and (3) of section 1701, up to 25% may be applied to grants for other purposes, and no more than 5% may be applied for purposes of administration and evaluation."

President Clinton plans put up to 100,000 additional police officers on the streets to help strengthen the ability of law enforcement to protect public safety in all the communities of America. This memorandum provides an outline of how these goals will be achieved. It proceeds in four parts: first, the initiatives of federal agencies to support the president's goal are highlighted; second, the funding sources for Department of Justice (Department) policing initiatives are summarized; third, the Department's comprehensive policing proposal is discussed in detail; and forth, additional issues which may impact on these policing initiatives are identified.

HIGHLIGHTS OF FEDERAL POLICING INITIATIVES

The Department of Justice.

The Department will be responsible for meeting the bulk of the President's pledge to put up to 100,000 additional police officers on America's streets. To meet this challenge, the Department will establish a grant program to help localities offset the cost of hiring new officers. This program will form the core of the Department's comprehensive policing initiative. It is estimated that up to 45,000 officers will be added to local police departments as a result of this program over the next five years.

The Department will also initiate and expand programs to facilitate the redeployment of sworn officers to the street. This will include expansion of the Department's holistic community-oriented policing program; support for certain new technologies that help decentralize operations and allow officers to spend more time on patrol; and increased support for improved in-service officer training and continuing education programs.

Finally, the Department will provide funding for a police corps demonstration program. This program will provide new educational opportunities for individuals interested in policing careers.

Each of these programs are discussed in greater detail below.

The Department of Housing and Urban Development.

The Department of Housing and Urban Development (HUD) will use new funds, in combination with funds from the Drug

Should be more than half

Can't use this phrase

Elimination Grant program, to create new Community Partnerships Against Crime (COMPAC). Almost \$725 million will be dedicated to COMPAC over five years. Funds will be used to support long-term crime fighting strategies developed by local housing authorities. Under this initiative, more than 5,000 police officers will be hired for community policing activities in public housing projects.

(NOTE: CHECK DATA WITH JOSE.)

The Department of Education.

The Department of Education will spend more than \$475 million over five years to support programs authorized under the Safe Schools initiative. Funds can be used to support school-based community policing programs, hire additional security personnel, establish conflict resolution and peer mediation programs, and develop anti-violence and anti-drug curricula. The Safe Schools initiative will add up to 500 new police officers.

(NOTE: CHECK DATA WITH JOSE.)

The Office of National Service.

President Clinton's National Service Plan will support between 100,000 and 150,000 individuals engaged in community service activities in one of four priority areas: education, the environment; health and human needs; and, public safety. Individuals participating in public safety activities will be designated as Community Service Officers: they will work in non-hazardous, non-enforcement positions, but will support policing-related initiatives. In addition, the National Service Plan will provide limited funding to localities to establish a "professional corps of police officers to work in underserved areas." The White House estimates that 20,000 to 25,000 Community Service Officers will be counted towards meeting the President's pledge.

(NOTE: CHECK DATA WITH RANA.)

FUNDING FOR DEPARTMENT OF JUSTICE POLICING INITIATIVES

At present, three potential funding sources for the Department's policing initiatives have been identified. The total amount of funds from all sources is almost \$3 billion over five years.

President Clinton's FY 1994 - FY 1998 Budget.

The President has requested \$75 million for the Department in FY 1994, including \$50 million for Community Policing Grants

#722
Check w/Chris Brown

CAN'T WE COME UP W/A HIGHER NUMBER

?

Check w/Chris Brown

2

and \$25 million for Police Corps as described in Conference Report to H.R. 3371, the Comprehensive Crime Control Act of 1992. The five year funding request for the Department's policing programs is \$2.299 billion: \$344 million in FY 1995; \$556 million in FY 1996; \$637 million in FY 1997; and, \$687 million in FY 1998.

President Clinton's Economic Stimulus Package.

President Clinton recently resubmitted a scaled-down Economic Stimulus Package to Congress. This proposal includes an additional \$200 million in FY 1994 for the Department's state and local law enforcement discretionary grant program. These funds, which will be available immediately upon enactment of the bill, will be used to hire new police officers engaged in community policing activities. (Note: These funds had originally been earmarked for HUD Community Development Block Grants.)

Economic Empowerment Act.

The Economic Empowerment Act contains language authorizing the Attorney General to award up to \$500 million in grants for public safety and policing assistance. The Attorney General has substantial discretion over the use of these funds. The money for the grant program has already been appropriated and must be spent in FY 1993 and FY 1994.

↳ Only first \$250 mil? - or the \$250 needs approval

DEPARTMENT OF JUSTICE POLICING INITIATIVES ↳ Check w/ Chris

Summary.

To meet the President's challenge of adding up to 100,000 police officers to the streets, the Department will adopt an integrated, multi-part strategy. The centerpiece of the Department's effort will be to provide direct financial assistance to police departments to offset the cost of hiring new officers. This is the most effective way of achieving the President's goal. The Department will also support programs that redeploy in-service officers so they can spend more time on patrol in the community. Finally, the Department will establish a police corps demonstration program to expand the pool of college educated police recruits.

↳ Can't use this

While these programs will add police officers to the street, a comprehensive and integrated approach is proposed to help ensure that the nation's police forces are not only stronger in numbers, but also better prepared to address the challenges that face them and the communities they serve. For this reason, the Department will expand its support for training and education programs for in-service officers.

In developing the Department's comprehensive approach to policing initiatives, we have attempted to meet the following goals and objectives:

- o To enhance public safety and the quality of life;
- o To promote and enhance law enforcement interaction with citizens;
- o To significantly increase the number of sworn officers directly interacting with the public;
- o To provide effective training to police officers designed to enhance their public relations, problem solving, and service skills;
- o To improve ethnic and gender diversity among police departments;
- o To develop methodologies designed to reorient police emphasis from reacting to crime to preventing crime; and
- o To develop and promote the use of programs designed to empower citizens to assist the police in the prevention of crime in their neighborhoods .

By focusing on both the quantity and the quality of police officers, the Department's initiatives will impact favorably on policing well into the 21st Century.¹

Policing Initiatives.

Federal Assistance to Hire New Police Officers

75% for new hires
The Department of Justice should provide financial assistance to State and local governments to offset the costs of hiring, training, and equipping new police officers. We suggest that not less than 75 percent of the funds available to the Department be used for this purpose.

The elements of the program include:

- o Funds can only be used to hire additional police officers. Priority will be given to re-hire police officers laid off as a result of budgetary shortfalls;

¹ Please see Appendix A for a partial list of activities and program elements eligible for funding.

- o Grantees must provide assurances that Federal funds received under this title shall be used to supplement, not supplant non-Federal funds that would otherwise be available;

- o Police departments will be required to use these officers to support community policing activities, as defined by the Attorney General;

- o The grants will be administered by the Attorney General through the Office of Justice Programs (OJP);

- o Potential funding distribution and allocation options would include:²

- a modified formula grant program to the states with a percentage of the funds set-aside for the direct funding of urban areas (populations of 100,000+) through discretionary grants; or
- a competitive grant program for local jurisdictions administered in part through state agencies which would prescreen and forward a limited number of the best local applications to the Department for discretionary grant funding;

- o Police departments will be eligible to receive up to \$100,000 in assistance for each new officer hired. The Federal share will decline each year. Potential spend-out rates for these funds would include:³

- A three-year pledge of \$50,000, \$35,000, and \$15,000; or
- A four-year pledge of \$40,000, \$30,000, \$20,000, and \$10,000; or
- For either of the above, a percentage spend-out rates could be used. For the former: 100% - 70% - 30%; for the latter: 80% - 60% - 40% - 20%.

Community-Oriented Policing Initiatives

The community-oriented policing (COP) approach stresses the importance of police-citizen partnerships in the control of crime

² Please see Appendix B for a discussion of advantages and disadvantages of each option.

³ Please see Appendix C for a discussion of advantages and disadvantages of each option.

How flexible
is this?
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support
as an individual
col. movement
to improve

?

and in the maintenance of order. It is generally described as a holistic, flexible and decentralized method of policing, with an emphasis on solving problems before they become criminal incidents. Police departments who have adopted full-scale COP programs are able to put more police officers on the street without requiring new resources.

Are these your direct funds?

The Department, working in conjunction with the four primary professional police organizations, has developed a prototype COP-program for implementation in local police departments. Funds should be made available to expand the number of sites implementing the COP program. A portion of these funds would be set aside for evaluations. We suggest that up to 10 percent (not more than \$50 million) of the Department's available funds be used for this purpose.

Redeployment of In-Service Police Officers

Many police departments do not use or deploy their officers in the most effective manner possible. Officers are often forced to spend an inordinate amount of time on non-patrol related duties or, when on patrol, they are not in contact with the citizens they serve.

Under Current Programs or new?

The Department should provide incentive grants to local governments for programs designed to redeploy existing police officers to activities focused on increased interaction with the communities and citizens they serve. Additional funds should be made available on a competitive basis for the purchase and implementation of new technologies designed to free police officers from administrative or other non-operation activities. We suggest that 5 percent (not more than \$25 million) of the funds available to the Department be used for these two purposes.

Federal Assistance for In-Service Training and Education

To build upon the COP program, the Department should provide funding for four to eight regional training centers. The centers would be located in cities that have implemented holistic community-oriented policing programs. Police training officers from local departments would be eligible to attend training seminars, where they would receive instruction in the latest policing techniques.

Where is this from?

In addition, the Department should provide funds to state policing agencies for continuing education scholarships for in-service officers. A portion of the funds for both initiatives would be reserved for technical assistance, administrative costs, and evaluation of the programs. We suggest that 5 percent (not more than \$25 million) of the Department's funds be used for these initiatives.

What funds?

Establishment a Police Corps Demonstration Program

To fulfill a promise of the President, while allocating funds in the most effective manner possible, the Department should establish a ~~community police corps demonstration project~~ based on the following model:

- o A college or university and a jurisdiction (state, locality, or police department) must make a joint application for a Police Corps Foundation grant;
- o The university will be responsible for developing an appropriate police corps curriculum, promoting the corps scholarships, and evaluating all applications for admission to the program;
- o The police department will be responsible for sponsoring the scholar. This includes pre-selection testing of the candidate, providing work-study and training opportunities for police corps students, and guaranteeing employment following graduation;
- o The program would be available to students during either their final two or four years of a four year degree program. Police corps participants would be required to serve for four years in a local police department following graduation;
- o Up to ten institution/jurisdiction partnerships will be eligible for funding; and
- o Reauthorization of the ~~demonstration~~ program would be required after five years.

Under this proposal, an institution may enroll as few as ten and as many as twenty-five students per class as Police Corps Scholars. Annual scholarship assistance would be limited to not more than \$7,500 per student. We recommend that 5 percent (not more than \$25 million) of the funds available to the Department be used for this purpose.

ADDITIONAL ISSUES

Federally-Funded Overtime Pay.

Congress (Senate Appropriations) earmarked \$16 million from the BJA Discretionary Grant Program to pay for overtime for State and local police officers. These funds should not pay for overtime, but should used to hire or train additional police officers.

POLITICAL PROBLEM
w/UNIONS, ETC.

Regardless of whether or not it is feasible to remove the earmarks, federal resources allocated for overtime pay through the BJA grant program, the Assets Forfeiture Equitable Sharing Program, the DEA State and Local Task Forces, the Organized Crime Drug Enforcement Task Forces (OCDEF), and other programs should be counted towards FTE's for the purposes of meeting the President's pledge.

Earmarking of Discretionary Grant Program Funds.

No support
INITIATIVES.

More than eighty percent of the BJA Discretionary Grant Program funds are earmarked by Congress. (\$41 million of \$50 million in funding.) The Department should seek to remove these earmarks so that the funds can be used to support the Department's policing initiatives.

Utilization of the Assets Forfeiture Fund.

Federal assistance to States and localities to hire officers will decline over a three or four year period. (See above.) As this occurs, local governments will be required to assume additional financial burdens. By the fourth or fifth year of the program, they will bear the entire cost of new officers hired under this program. The Department should consider using the asset forfeiture fund to assist in hiring and/or helping communities retain police officer added through this initiative.

(NOTE: CHECK DATA WITH CARY COPELAND.)

→ DOES THIS HAVE TO BE IN LANGUAGE?
LEAST WILL COPS THINK

APPENDIX A

POTENTIAL ACTIVITIES AND PROGRAM ELEMENTS ELIGIBLE FOR FUNDING

- o Re-hiring police officers laid off as a result of budget deficits;
- o Hiring and equipping new sworn police officers for deployment in the enterprise zones and other communities;
- o Providing specialized training to police officers designed to enhance their community awareness, problem solving, and public service skills as well as their knowledge of and ability to cope with cultural diversity;
- o Implementing neighborhood oriented policing programs in targeted areas;
- o Developing new technologies to reduce the amount of time officers spend processing cases instead of patrolling communities;
- o Implementing court programs designed to decrease the amount of time officers spend waiting for court appearances and foster more effective officer deployment;
- o Creating decentralized police substations throughout the target areas to establish police presence and encourage police/citizen interaction and cooperation;
- o Implementing programs designed to increase police interaction with youth in the target area such as police athletic leagues, mentoring programs, or school based programs; and
- o Developing and/or implementing community based crime prevention programs including but not limited to programs such as neighborhood watch, senior citizen safety programs, community anti-crime groups and programs designed to more effectively reintegrate offenders back into community life upon their release.

APPENDIX B

FUNDING AND DISTRIBUTION OPTIONS

OPTION 1.

- o A percentage of the funds (one-third to one-half) would be provided to states for distribution through a formula grant program. States would pass these funds through to local police departments. Only jurisdictions with populations below 100,000 would be eligible for these funds.
- o The remaining funds (one-half to two-thirds) would be targeted to large cities or municipalities (150,000+) through a discretionary grant program. Applications for funding would be filed with OJP.

Advantages.

- Depending on the division of funds, the bulk of the money could be targeted to high-crime urban areas;
- The Department will retain significant control over the use of these funds without incurring undue administrative burdens; and
- A discretionary/formula grant program based on this model would be easy to administer.

Disadvantages.

- Localities with populations under 100,000 will feel that they are not receiving a "fair share" of the funds;
- A formula grant program limits federal review and oversight over local policing plans; and
- A formula grant program requires a minimum allocation for each state. If the allocation is too low, the spending will have virtually no effect. If the allocation is too high, smaller states will absorb too much of the money.

OPTION 2.

- o Local jurisdictions would be required to file policing aid requests with the state's Byrne grant agency. The state would forward the best proposals to OJP for evaluation. Based upon population, each state will be allowed to submit a specified number of application. (We recommend that no state be allowed to submit more than 5 applications.)

Advantages.

- The Department would have complete control over which site are selected how these funds are used; and
- Because states will screen the initial applications, the Department's administrative burdens will be minimized.

Disadvantages.

- This approach assumes that states will forward acceptable applications. This is especially problematic if the Department must rapidly distribute nearly \$1 billion in FY 1994 and FY 1995;
- This procedure may increase the amount of time it requires to pass the funds through to local police departments.

APPENDIX C

SPEND-OUT RATE OPTIONS

OPTION 1.

- o A three-year pledge of \$50,000, \$35,000, and \$15,000.

Advantages.

- The first year assistance is very attractive to localities, because it would cover the complete cost of hiring a new police officer.

Disadvantages.

- Three-year phase out may be not give some jurisdictions enough time to assume the long-term cost of hiring a new police officer.

OPTION 2.

- o A four-year pledge of \$40,000, \$30,000, \$20,000, and \$10,000.

Advantages.

- A four-year pledge may allow some localities to adapt to the long-term costs easier.

Disadvantages.

- If the plan does not absorb all costs of hiring an officer in the initial year, some localities may not be able to participate in the program.

OPTION 3.

- o For either "Option 1" or "Option 2", percentage spend-out rates could be used. For the former: 100% - 70% - 30%; for the latter: 80% - 60% - 40% - 20%.

Advantages.

- Percentage spend-out rates serve as an equalizer between high-cost and low-cost police agencies. Under either option, low-cost (generally non-unionized) departments receive total reimbursement in both year 1 and year 2. With a percentage formula, federal assistance has the same impact on all jurisdictions.

Disadvantages.

- There is some chance that localities will artificially inflate the costs associated with hiring a police officer. The percentage spend-out formula encourages this type of behavior.

Distribution of Funds:

5. There are two options to distribute the funds:

- a. A percentage of the funds (one-third to one-half) would be provided to states for distribution through a formula grant program. States would pass these funds through to local police departments. Only jurisdictions with populations below 100,000 would be eligible for these funds.

The remaining funds (one-half to two-thirds) would be targeted to large cities or municipalities through a discretionary grant program. Applications for funding would be filed with OJP.

Advantages.

- Depending on the division of funds, the bulk of the money could be targeted to high-crime urban areas;
- The Department will retain significant control over the use of these funds without incurring undue administrative burdens.
- A discretionary/formula grant program based on this model would be easy to administer.

Disadvantages.

- Localities with populations under 100,000 will feel that they are not receiving a "fair share" of the funds.
- A formula grant program limits federal review and oversight over local policing plans;
- A formula grant program requires a minimum allocation for each state. If the allocation is too low, the spending will have virtually no effect. If the allocation is too high, smaller states will absorb too much of the money.

- b. Require local jurisdictions to file policing aid requests with the state's Byrne grant agency. The state would forward the best proposals to OJP for evaluation. Based upon population, each state will be allowed to submit a specified number of application. (We recommend that no state be allowed to submit more than 6 applications.)

Advantages.

- The Department would have complete control over which site are selected how these funds are used.
- Because states will screen the initial applications, the Department's administrative burdens will be minimized.

Disadvantages.

- This approach assumes that states will forward acceptable applications. This is especially problematic if the Department must rapidly distribute nearly \$1 billion in FY 1994 and FY 1995.

Spend Out Rates:

6. Police departments will receive up to \$100,000 in assistance for each new officer hired. The Federal portion of this assistance will decline each year. There are three potential spendout rates for these funds:

- a. A three-year pledge of \$50,000, \$35,000, and \$15,000.

Advantages.

- The first year assistance is very attractive to localities, because it would cover the complete cost of hiring a new police officer.

Disadvantages.

- Three-year phase out may be not give some jurisdictions enough time to assume the long-term cost of hiring a new police officer.

- b. A four-year pledge of \$40,000, \$30,000, \$20,000, and \$10,000.

Advantages.

- A four-year pledge may allow some localities to adapt to the long-term costs easier.

Disadvantages.

- If the plan does not absorb all costs of hiring an officer in the initial year, some

localities may not hire new officers. residual amount.

- c. For either "a" or "b", percentage spendout rates could be used. For the former: 100% - 70% - 30%; for the latter: 80% - 60% - 40% - 20%.

Advantages.

- Percentage spendout rates serve as an equalizer between high-cost and low-cost police agencies. Under either option "a" or option "b", low-cost (generally non-unionized) departments receive total reimbursement in both year 1 and year 2. With a percentage formula, federal assistance has the same impact on all jurisdictions.

Disadvantages.

- There is some chance that localities, unless adequately proscribed by law or regulation, will artificially inflate the costs associated with hiring a police officer. The percentage spendout formula encourages this type of behavior.

CONFIDENTIAL WORKING DRAFT FOR LIMITED DISTRIBUTION ONLY
DISCUSSION DRAFT -- MAY 10, 1993 A.M.
[REID/MERCER DRAFT, MASTALLI EDIT]

President Clinton plans put up to 100,000 additional police officers on the streets to help strengthen the ability of law enforcement to protect public safety in all the communities of America. This memorandum provides an outline of how these goals will be achieved. It proceeds in four parts: first, the initiatives of federal agencies to support the president's goal are highlighted; second, the funding sources for Department of Justice (Department) policing initiatives are summarized; third, the Department's comprehensive policing proposal is discussed in detail; and forth, additional issues which may impact on these policing initiatives are identified.

HIGHLIGHTS OF FEDERAL POLICING INITIATIVES

The Department of Justice.

The Department will be responsible for meeting the bulk of the President's pledge to put up to 100,000 additional police officers on America's streets. To meet this challenge, the Department will establish a grant program to help localities offset the cost of hiring new officers. This program will form the core of the Department's comprehensive policing initiative. It is estimated that up to 45,000 officers will be added to local police departments as a result of this program over the next five years.

The Department will also initiate and expand programs to facilitate the redeployment of sworn officers to the street. This will include expansion of the Department's holistic community-oriented policing program; support for certain new technologies that help decentralize operations and allow officers to spend more time on patrol; and increased support for improved in-service officer training and continuing education programs.

Finally, the Department will provide funding for a police corps demonstration program. This program will provide new educational opportunities for individuals interested in policing careers.

Each of these programs are discussed in greater detail below.

The Department of Housing and Urban Development.

The Department of Housing and Urban Development (HUD) will use new funds, in combination with funds from the Drug Elimination Grant program, to create new Community Partnerships Against Crime (COMPAC). Almost \$725 million will be dedicated to COMPAC over five years. Funds will be used to support long-term crime fighting strategies developed by local housing authorities. Under this initiative, more than 5,000 police officers will be hired for community policing activities in public housing projects.

(NOTE: CHECK DATA WITH JOSE.)

The Department of Education.

The Department of Education will spend more than \$475 million over five years to support programs authorized under the Safe Schools initiative. Funds can be used to support school-based community policing programs, hire additional security personnel, establish conflict resolution and peer mediation programs, and develop anti-violence and anti-drug curricula. The Safe Schools initiative will add up to 500 new police officers.

(NOTE: CHECK DATA WITH JOSE.)

The Office of National Service.

President Clinton's National Service Plan will support between 100,000 and 150,000 individuals engaged in community service activities in one of four priority areas: education, the environment; health and human needs; and, public safety. Individuals participating in public safety activities will be designated as Community Service Officers: they will work in non-hazardous, non-enforcement positions, but will support policing-related initiatives. In addition, the National Service Plan will provide limited funding to localities to establish a "professional corps of police officers to work in underserved areas." The White House estimates that 20,000 to 25,000 Community Service Officers will be counted towards meeting the President's pledge.

(NOTE: CHECK DATA WITH RANA.)

FUNDING FOR DEPARTMENT OF JUSTICE POLICING INITIATIVES

At present, three potential funding sources for the Department's policing initiatives have been identified. The total amount of funds from all sources is almost \$3 billion over five years.

President Clinton's FY 1994 - FY 1998 Budget.

The President has requested \$75 million for the Department in FY 1994, including \$50 million for Community Policing Grants and \$25 million for Police Corps as described in Conference Report to H.R. 3371, the Comprehensive Crime Control Act of 1992. The five year funding request for the Department's policing programs is \$2.299 billion: \$344 million in FY 1995; \$556 million in FY 1996; \$637 million in FY 1997; and, \$687 million in FY 1998.

President Clinton's Economic Stimulus Package.

President Clinton recently resubmitted a scaled-down Economic Stimulus Package to Congress. This proposal includes an additional \$200 million in FY 1994 for the Department's state and local law enforcement discretionary grant program. These funds, which will be available immediately upon enactment of the bill, will be used to hire new police officers engaged in community policing activities. (Note: These funds had originally been earmarked for HUD Community Development Block Grants.)

Economic Empowerment Act.

The Economic Empowerment Act contains language authorizing the Attorney General to award up to \$500 million in grants for public safety and policing assistance. The Attorney General has substantial discretion over the use of these funds. The money for the grant program has already been appropriated and must be spent in FY 1993 and FY 1994.

DEPARTMENT OF JUSTICE POLICING INITIATIVES

Summary.

To meet the President's challenge of adding up to 100,000 police officers to the streets, the Department will adopt an integrated, multi-part strategy. The centerpiece of the Department's effort will be to provide direct financial assistance to police departments to offset the cost of hiring new officers. This is the most effective way of achieving the President's goal. The Department will also support programs that redeploy in-service officers so they can spend more time on patrol in the community. Finally, the Department will establish a police corps demonstration program to expand the pool of college educated police recruits.

While these programs will add police officers to the street, a comprehensive and integrated approach is proposed to help ensure that the nation's police forces are not only stronger in numbers, but also better prepared to address the challenges that face them and the communities they serve. For this reason, the Department will expand its support for training and education programs for in-service officers.

In developing the Department's comprehensive approach to policing initiatives, we have attempted to meet the following goals and objectives:

- To enhance public safety and the quality of life;
- To promote and enhance law enforcement interaction with citizens;
- To significantly increase the number of sworn officers directly interacting with the public;
- To provide effective training to police officers designed to enhance their public relations, problem solving, and service skills;
- To improve ethnic and gender diversity among police departments;
- To develop methodologies designed to reorient police emphasis from reacting to crime to preventing crime; and
- To develop and promote the use of programs designed to empower citizens to assist the police in the prevention of crime in their neighborhoods .

By focusing on both the quantity and the quality of police officers, the Department's initiatives will impact favorably on policing well into the 21st Century.¹

Policing Initiatives.

Federal Assistance to Hire New Police Officers

The Department of Justice should provide financial assistance to State and local governments to offset the costs of hiring, training, and equipping new police officers. We suggest that not less than 75 percent of the funds available to the Department be used for this purpose.

The elements of the program include:

- Funds can only be used to hire additional police officers. Priority will be given to re-hire police officers laid off as a result of budgetary shortfalls;
- Grantees must provide assurances that Federal funds received under this title shall be used to supplement, not supplant non-Federal funds that would otherwise be available;
- Police departments will be required to use these officers to support community policing activities, as defined by the Attorney General;

¹ Please see Appendix A for a partial list of activities and program elements eligible for funding.

- The grants will be administered by the Attorney General through the Office of Justice Programs (OJP);
- Potential funding distribution and allocation options would include:²
 - a modified formula grant program to the states with a percentage of the funds set-aside for the direct funding of urban areas (populations of 100,000+) through discretionary grants; or
 - a competitive grant program for local jurisdictions administered in part through state agencies which would pre-screen and forward a limited number of the best local applications to the Department for discretionary grant funding;
- Police departments will be eligible to receive up to \$100,000 in assistance for each new officer hired. The Federal share will decline each year. Potential spend-out rates for these funds would include:³
 - A three-year pledge of \$50,000, \$35,000, and \$15,000; or
 - A four-year pledge of \$40,000, \$30,000, \$20,000, and \$10,000; or
 - For either of the above, a percentage spend-out rates could be used. For the former: 100% - 70% - 30%; for the latter: 80% - 60% - 40% - 20%.

Community-Oriented Policing Initiatives

The community-oriented policing (COP) approach stresses the importance of police-citizen partnerships in the control of crime and in the maintenance of order. It is generally described as a holistic, flexible and decentralized method of policing, with an emphasis on solving problems before they become criminal incidents. Police departments who have adopted full-scale COP programs are able to put more police officers on the street without requiring new resources.

The Department, working in conjunction with the four primary professional police organizations, has developed a prototype COP-program for implementation in local police departments. Funds should be made available to expand the number of sites implementing the COP program. A portion of these funds would be set aside for evaluations. We suggest that up to 10 percent (not more than \$50 million) of the Department's available funds be used for this purpose.

Redeployment of In-Service Police Officers

Many police departments do not use or deploy their officers in the most effective manner possible. Officers are often forced to spend an inordinate amount of time on non-patrol related duties or, when on patrol, they are not in contact with the citizens they serve.

² Please see Appendix B for a discussion of advantages and disadvantages of each option.

³ Please see Appendix C for a discussion of advantages and disadvantages of each option.

The Department should provide incentive grants to local governments for programs designed to redeploy existing police officers to activities focused on increased interaction with the communities and citizens they serve. Additional funds should be made available on a competitive basis for the purchase and implementation of new technologies designed to free police officers from administrative or other non-operation activities. We suggest that 5 percent (not more than \$25 million) of the funds available to the Department be used for these two purposes.

Federal Assistance for In-Service Training and Education

To build upon the COP program, the Department should provide funding for four to eight regional training centers. The centers would be located in cities that have implemented holistic community-oriented policing programs. Police training officers from local departments would be eligible to attend training seminars, where they would receive instruction in the latest citizen interactive policing techniques, etc. The focus of these centers would be on "training the trainers" to replicate successful programs and speed nationwide implementation of culturally sensitive, cooperative policing strategies.

In addition, the Department should provide funds to state policing agencies for continuing education scholarships for the continuing education of in-service officers. A portion of the funds for both initiatives would be reserved for technical assistance, administrative costs, and evaluation of the programs. We suggest that 5 percent (not more than \$25 million) of the Department's funds be used for these initiatives.

Establishment a Police Corps Demonstration Program

To fulfill a promise of the President, while allocating funds in the most effective manner possible, the Department should establish a community police corps demonstration project based on the following model:

- A college or university and a jurisdiction (state, locality, or police department) must make a joint application for a Police Corps Foundation grant;
- The university will be responsible for developing an appropriate police corps curriculum, promoting the corps scholarships, and evaluating all applications for admission to the program;
- The police department will be responsible for sponsoring the scholar. This includes pre-selection testing of the candidate, providing work-study and training opportunities for police corps students, and guaranteeing employment following graduation;
- The program would be available to students during either their final two or four years of a four year degree program. Police corps participants would be required to serve for four years in a local police department following graduation;
- Up to ten institution/jurisdiction partnerships will be eligible for funding; and
- Reauthorization of the demonstration program would be required after five years.

Under this proposal, an institution may enroll as few as ten and as many as twenty-five students per class as Police Corps Scholars. Annual scholarship assistance would be limited to not more than \$7,500 per student. We recommend that 5 percent (not more than \$25 million) of the funds available to the Department be used for this purpose.

ADDITIONAL ISSUES

Federally-Funded Overtime Pay.

Congress (Senate Appropriations) earmarked \$16 million from the BJA Discretionary Grant Program to pay for overtime for State and local police officers. These funds should not pay for overtime, but should be used to hire or train additional police officers.

Regardless of whether or not it is feasible to remove the earmarks, federal resources allocated for overtime pay through the BJA grant program, the Assets Forfeiture Equitable Sharing Program, the DEA State and Local Task Forces, the Organized Crime Drug Enforcement Task Forces (OCDETF), and other programs should be counted towards FTE's for the purposes of meeting the President's pledge.

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More than eighty percent of the BJA Discretionary Grant Program funds are earmarked by Congress. (\$41 million of \$50 million in funding.) The Department should seek to remove these earmarks so that the funds can be used to support the Department's policing initiatives.

Utilization of the Assets Forfeiture Fund.

Federal assistance to States and localities to hire officers will decline over a three or four year period. (See above.) As this occurs, local governments will be required to assume additional financial burdens. By the fourth or fifth year of the program, they will bear the entire cost of new officers hired under this program. The Department should consider using the asset forfeiture fund to assist in hiring and/or helping communities retain police officers added through this initiative.

(NOTE: CHECK DATA WITH CARY COPELAND.)

APPENDIX A

POTENTIAL ACTIVITIES AND PROGRAM ELEMENTS ELIGIBLE FOR FUNDING

- Re-hiring police officers laid off as a result of budget deficits;
- Hiring and equipping new sworn police officers for deployment in the enterprise zones and other communities;
- Providing specialized training to police officers designed to enhance their community awareness, problem solving, and public service skills as well as their knowledge of and ability to cope with cultural diversity;
- Implementing neighborhood oriented policing programs in targeted areas;
- Developing new technologies to reduce the amount of time officers spend processing cases instead of patrolling communities;
- Implementing court programs designed to decrease the amount of time officers spend waiting for court appearances and foster more effective officer deployment;
- Creating decentralized police substations throughout the target areas to establish police presence and encourage police/citizen interaction and cooperation;
- Implementing programs designed to increase police interaction with youth in the target area such as police athletic leagues, mentoring programs, or school based programs; and
- Developing and/or implementing community based crime prevention programs including but not limited to programs such as neighborhood watch, senior citizen safety programs, community anti-crime groups and programs designed to more effectively reintegrate offenders back into community life upon their release.

APPENDIX B

FUNDING AND DISTRIBUTION OPTIONS

OPTION 1.

- A percentage of the funds (one-third to one-half) would be provided to states for distribution through a formula grant program. States would pass these funds through to local police departments. Only jurisdictions with populations below 100,000 would be eligible for these funds.
- The remaining funds (one-half to two-thirds) would be targeted to large cities or municipalities (150,000+) through a discretionary grant program. Applications for funding would be filed with OJP.

Advantages.

- Depending on the division of funds, the bulk of the money could be targeted to high-crime urban areas;
- The Department will retain significant control over the use of these funds without incurring undue administrative burdens; and
- A discretionary/formula grant program based on this model would be easy to administer.

Disadvantages.

- Localities with populations under 100,000 will feel that they are not receiving a "fair share" of the funds;
- A formula grant program limits federal review and oversight over local policing plans; and
- A formula grant program requires a minimum allocation for each state. If the allocation is too low, the spending will have virtually no effect. If the allocation is too high, smaller states will absorb too much of the money.

OPTION 2.

- Local jurisdictions would be required to file policing aid requests with the state's Byrne grant agency. The state would forward the best proposals to OJP for evaluation. Based upon population, each state will be allowed to submit a specified number of application. (We recommend that no state be allowed to submit more than 5 applications.)

Advantages.

- The Department would have complete control over which site are selected how these funds are used; and
- Because states will screen the initial applications, the Department's administrative burdens will be minimized.

Disadvantages.

- This approach assumes that states will forward acceptable applications. This is especially problematic if the Department must rapidly distribute nearly \$1 billion in FY 1994 and FY 1995;
- This procedure may increase the amount of time it requires to pass the funds through to local police departments.

APPENDIX C

SPEND-OUT RATE OPTIONS

OPTION 1.

- A three-year pledge of \$50,000, \$35,000, and \$15,000.

Advantages.

- The first year assistance is very attractive to localities, because it would cover the complete cost of hiring a new police officer.

Disadvantages.

- Three-year phase out may be not give some jurisdictions enough time to assume the long-term cost of hiring a new police officer.

OPTION 2.

- A four-year pledge of \$40,000, \$30,000, \$20,000, and \$10,000.

Advantages.

- A four-year pledge may allow some localities to adapt to the long-term costs easier.

Disadvantages.

- If the plan does not absorb all costs of hiring an officer in the initial year, some localities may not be able to participate in the program.

OPTION 3.

- For either "Option 1" or "Option 2", percentage spend-out rates could be used. For the former: 100% - 70% - 30%; for the latter: 80% - 60% - 40% - 20%.

Advantages.

- Percentage spend-out rates serve as an equalizer between high-cost and low-cost police agencies. Under either option, low-cost (generally non-unionized) departments receive total reimbursement in both year 1 and year 2. With a percentage formula, federal assistance has the same impact on all jurisdictions.

Disadvantages.

- There is some chance that localities will artificially inflate the costs associated with hiring a police officer. The percentage spend-out formula encourages this type of behavior.

INCREASING PUBLIC SAFETY THROUGH EXPANDED POLICE RESOURCES

President Clinton's policing initiatives will: add new police officers to the streets and communities of America; enhance the level of training of police officers; provide new educational opportunities for police officers; and _____

I. ADDING ADDITIONAL OFFICERS TO THE "BEAT"

To increase the level of public safety and crime prevention in our communities, it is essential to add additional officers to the beat.

A. Federal Assistance to Hire New Police Officers

The Department of Justice will provide financial assistance to State and local governments to offset the costs of hiring, training, and equipping new police officers.

- Right mix?*
1. Sixty percent of the funds will be targeted to states through formula grants. States will pass these funds through to local police departments.
 2. Forty percent of the funds will be targeted to large cities or municipalities (200,000+) through discretionary grants.
 3. Police departments will receive up to \$100,000 in assistance over a three year period for each new officer hired. Federal assistance will decline each year. (\$50,000 / \$35,000 / \$15,000)
 4. Funds awarded under this program can **only** be used to hire additional police officers. Priority will be given to re-hire police officers laid off as a result of budgetary shortfalls.
 5. Police departments will be required to use these officers to support community policing activities.
 6. The formula and discretionary grants will be administered by the Office of Justice Programs.
- Do we mention numbers at all* →

B. Community-Oriented Policing Initiatives

The community-oriented policing (COP) approach stresses the importance of police-citizen partnerships in the control of crime and in the maintenance of order. It is generally described as a flexible and decentralized

method of policing, with an emphasis on solving problems before they become criminal incidents.

Delete

The Department, working in conjunction with the four primary professional police organizations, has developed a prototype COP-program for implementation in local police departments. Funds will be made available on a competitive basis for departments that commit to the implementation of community-oriented policing. A portion of these funds will be reserved by the Department for technical assistance, training, and evaluation.

C. Redeployment of In-Service Police Officers

Many police departments do not use or deploy their officers in the most effective manner possible. Officers are often forced to spend an inordinate amount of time on non-patrol related duties or, when on patrol, they are not in contact with the citizens they serve.

The Department will provide incentive grants to local governments for programs designed to redeploy existing police officers to activities focused on increased interaction with the communities and citizens they serve.

1. Funds will be made available on a competitive basis for the purchase and implementation of new technologies designed to free police officers from administrative or other non-operation activities. Such technologies may include enhanced data processing systems, computer software, and telecommunications systems.
2. Funds will be made available on a competitive basis for redeployment programs designed to increase the number of officers assigned to neighborhoods.
3. The Department will provide technical assistance and support to departments that utilize volunteers for non-critical policing duties.

C. Establishment a Police Corps Pilot Program

The Department should establish a police corps pilot program based on one of the two following models:

1. As part of a three pronged program, including II & III below, the Department will provide scholarship funds to the local police departments. A selection panel, comprised of the chief and other citizens, would award scholarships to community residents interested in policing careers. In addition, the police department would sponsor the student, offer work-study and mentorship opportunities to her

during undergraduate studies, and assure her full-time employment at the completion of her studies.

- 7 Delete
2. The "indigenous" corps. Universities and police departments may jointly apply for a Police Corps Foundation grant. The university will be responsible for developing an appropriate police corps curriculum, promoting the corps scholarships, and evaluating all applications for admission to the program. The police department will be responsible for sponsoring the scholar. This includes pre-selection testing of the candidate, providing work-study and training opportunities for police corps students, and guaranteeing employment following graduation.

The program would be available to students during either their final two or four years of study. Police corps participants would be required to serve for four years in a local police department following graduation.

II. INCREASED TRAINING OPPORTUNITIES FOR POLICE OFFICERS

III. INCREASED EDUCATIONAL OPPORTUNITIES FOR POLICE OFFICERS

According to a recent PERF survey, the average educational level among police officers is well into the sophomore year of college (13.6 years). In addition, their research suggests that college-educated officers show more initiative in performing police tasks, communicate better with the public, and are more likely to be promoted than their non-college counterparts.

The Department will provide scholarship assistance to in-service officers for continuing education. Funds will be targeted to states through formula grants. Officers receiving educational assistance will be required to take classes in a substantive area that is job related. This could include course work in criminal justice, sociology, psychology, business administration, social sciences, and foreign languages.

IV. ADDITIONAL ISSUES / OPTIONS

A. Non-DOJ Policing Initiatives

The Departments of Defense, Education, and Housing and Urban Development have either programs or resources that can be used to hire or train new police officers. How

will these programs and resources be coordinated with the Department's policing initiatives?

B. Federal Overtime Pay

Congress (Senate Appropriations) earmarked \$16 million from the BJA Discretionary Grant Program to pay for overtime for State and local police officers. These funds should not pay for overtime, but should be used to hire or train additional police officers.

If it is not possible to remove the earmarks, federal overtime pay should be counted towards FTE's for the purposes of meeting the President's pledge.

C. Earmarking of Discretionary Grant Program Funds

More than eighty percent of the BJA Discretionary Grant Program funds are earmarked by Congress. (\$41 million of \$50 million in funding.) The Department should seek to remove these earmarks so that the funds can be used to support the Department's policing initiatives.

D. Utilize Assets Forfeiture Fund for Retention of Police

Federal assistance to States and localities to hire officers will decline over a three year period. (See above.) As this occurs, local governments will be required to assume additional financial burdens. By the fourth year of the program, they will bear the entire cost of new officers hired under this program. The Department should consider using the asset forfeiture fund to help communities retain police officers added through this initiative.