

103D CONGRESS  
1ST SESSION

# S. 864

To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize a community policing grant program.

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## IN THE SENATE OF THE UNITED STATES

APRIL 30 (legislative day, APRIL 19), 1993

Mr. BRADLEY (for himself, Mr. BIDEN, Mrs. BOXER, Mr. BRYAN, Mrs. FEINSTEIN, Mr. HOLLINGS, Mr. KERREY, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. SIMON, Mr. WELLSTONE, Mrs. MURRAY, Mr. KERRY, Mr. DODD, Mr. LIEBERMAN, Mr. WOFFORD, Mr. HATCH, and Mr. KRUEGER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to authorize a community policing grant program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community Policing  
5 Assistance Act of 1993”.

1 **SEC. 2. COMMUNITY POLICING; COP ON THE BEAT.**

2 (a) IN GENERAL.—Title I of the Omnibus Crime  
3 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
4 et seq.) is amended—

5 (1) by redesignating part Q as part R;

6 (2) by redesignating section 1701 as 1801; and

7 (3) by inserting after part P the following new  
8 part:

9 **“PART Q-COMMUNITY POLICING; COP ON THE**  
10 **BEAT**

11 **“SEC. 1701. GRANT AUTHORIZATION.**

12 “(a) GRANT PROJECTS.—The Director of the Bureau  
13 of Justice assistance may make grants to units of local  
14 government and community groups in economically dis-  
15 tressed central cities to establish or expand cooperative ef-  
16 forts between police and community for purposes of in-  
17 creasing police presence in the community, including—

18 “(1) developing innovative neighborhood-ori-  
19 ented policing programs;

20 “(2) providing new technologies to reduce the  
21 amount of time officers spend processing cases in-  
22 stead of patrolling the community or problem solving  
23 in the community;

24 “(3) purchasing equipment to improve commu-  
25 nications between officers and the community and to

1 improve the collection, analysis, and use of informa-  
2 tion about crime-related community problems;

3 “(4) developing policies that reorient police em-  
4 phasis from reacting to crime to preventing crime;

5 “(5) creating decentralized police substations  
6 throughout the community where officers can be  
7 permanently assigned to gain community confidence  
8 and support so as to encourage interaction and co-  
9 operation between the public and law enforcement  
10 personnel on the local level;

11 “(6) providing training in problem solving for  
12 community crime problems;

13 “(7) providing training in cultural differences  
14 for law enforcement officials;

15 “(8) developing community-based crime preven-  
16 tion programs, such as safety programs for senior  
17 citizens, community anticrime groups, and other  
18 anticrime awareness programs;

19 “(9) developing crime prevention programs in  
20 communities which have experienced a recent in-  
21 crease in gang-related violence; and

22 “(10) developing projects following the model  
23 under subsection (b).

1       “(b) MODEL PROJECT.—The Director shall develop  
2 a written model that informs community members regard-  
3 ing—

4               “(1) how to identify the existence of a drug or  
5 gang house;

6               “(2) what civil remedies, such as public nui-  
7 sance violations and civil suits in small claims court,  
8 are available; and

9               “(3) what mediation techniques are available  
10 between community members and individuals who  
11 have established a drug or gang house in such com-  
12 munity.

13 **“SEC. 1702. APPLICATION.**

14       “(a) IN GENERAL.—(1) To be eligible to receive a  
15 grant under this part, a chief executive of a unit of local  
16 government, a duly authorized representative of a com-  
17 bination of local governments within a geographic region,  
18 or a community group shall submit an application to the  
19 Director in such form and containing such information as  
20 the Director may reasonably require.

21       “(2) In such application, one office or agency (public,  
22 private, or nonprofit) shall be designated as responsible  
23 for the coordination, implementation, administration, ac-  
24 counting, and evaluation of services described in the appli-  
25 cation.

1       “(b) GENERAL CONTENTS.—Each application under  
2 subsection (a) shall include—

3           “(1) a request for funds available under this  
4 part for the purposes described in section 1701;

5           “(2) a description of the areas and populations  
6 to be served by the grant; and

7           “(3) an assurance that Federal funds received  
8 under this part shall be used to supplement, not  
9 supplant non-Federal funds that would otherwise be  
10 available for activities funded under this part.

11       “(c) COMPREHENSIVE PLAN.—Each application shall  
12 include a comprehensive plan which contains—

13           “(1) a description of the crime problems within  
14 the areas targeted for assistance;

15           “(2) a description of the projects to be devel-  
16 oped;

17           “(3) a description of the resources available in  
18 the community to implement the plan together with  
19 a description of the gaps in the plan that cannot be  
20 filled with existing resources;

21           “(4) an explanation of how the requested grant  
22 shall be used to fill those gaps;

23           “(5) a description of the system the applicant  
24 shall establish to prevent and reduce crime problems;

25       and

1           “(6) an evaluation component, including per-  
2           formance standards and quantifiable goals the appli-  
3           cant shall use to determine project progress, and the  
4           data the applicant shall collect to measure progress  
5           toward meeting project goals.

6           “(d) PARTICULAR APPLICATIONS.—

7           “(1) APPLICATION OF A LAW ENFORCEMENT  
8           AGENCY SEEKING A GRANT TO ESTABLISH A COMMU-  
9           NITY POLICING PROGRAM.—In addition to meeting  
10          the requirements of subsections (a), (b), (c), an ap-  
11          plication of a law enforcement agency seeking a  
12          grant to establish a community policing program  
13          shall—

14               “(A) propose a project that has as its pri-  
15               mary goal the establishment of a community-  
16               centered police patrol or beat through—

17                       “(i) the staffing of a neighborhood po-  
18                       lice substation where police officers are as-  
19                       signed for periods of at least 18 months;  
20                       or

21                       “(ii) the establishment of a commu-  
22                       nity police patrol made up of a cadre of  
23                       police officers assigned to a neighborhood  
24                       for periods of at least 18 months; and

1           “(B)(i) demonstrate community support  
2           for a neighborhood community police patrol; or

3           “(ii) set forth in detail a plan for forming  
4           a community/police partnership to target crime.

5           “(2) APPLICATION OF A LAW ENFORCEMENT  
6           AGENCY SEEKING A GRANT TO EXPAND A COMMU-  
7           NITY POLICING PROGRAM.—In addition to meeting  
8           the requirements of subsections (a), (b), (c), an ap-  
9           plication of a law enforcement agency seeking a  
10          grant to expand a community police program  
11          through development of a community centered  
12          project shall—

13                 “(A) provide evidence that there is commu-  
14                 nity support for the project; and

15                 “(B) describe how the project will promote  
16                 the goals of the community policing program.

17           “(3) APPLICATION OF A COMMUNITY GROUP  
18           SEEKING A GRANT TO EXPAND OR ESTABLISH A  
19           COMMUNITY POLICING PROGRAM.—In addition to  
20           meeting the requirements of subsections (a), (b), (c),  
21           an application of a community group seeking a grant  
22           to expand or establish a community policing pro-  
23           gram shall—

24                 “(A) describe how the community group  
25                 intends to work with the police; and

1           “(B) demonstrate police support for the  
2           project.

3 **“SEC. 1703. ALLOCATION OF FUNDS; LIMITATIONS ON**  
4 **GRANTS.**

5           “(a) ALLOCATION.—The Director shall allocate not  
6 less than 75 percent of the funds available under this part  
7 to units of local government or combinations of such units  
8 and not more than 20 percent of the funds available under  
9 this part to community groups.

10          “(b) ADMINISTRATIVE COST LIMITATION.—The Di-  
11 rector shall use not more than 5 percent of the funds avail-  
12 able under this part for the purposes of administration,  
13 technical assistance, and evaluation.

14          “(c) RENEWAL OF GRANTS.—A grant under this part  
15 may be renewed for up to 2 additional years after the first  
16 fiscal year during which the recipient receives its initial  
17 grant, subject to the availability of funds, if the director  
18 determines that the funds made available to the recipient  
19 during the previous year were used in a manner required  
20 under the approved application and if the recipient can  
21 demonstrate significant progress toward achieving the  
22 goals of the plan required under section 1702(c).

23          “(d) FEDERAL SHARE.—The Federal share of a  
24 grant made under this part may not exceed 75 percent  
25 of the total cost of the projects described in the application

1 submitted under section 1702 for the fiscal year for which  
2 the projects receive assistance under this part.

3 **“SEC. 1704. AWARD OF GRANTS.**

4 “(a) SELECTION OF RECIPIENTS.—The Director  
5 shall consider the following factors in awarding grants to  
6 units of local government or combinations of such units  
7 under this part:

8 “(1) NEED AND ABILITY.—Demonstrated need  
9 and evidence of the ability to provide the services de-  
10 scribed in the plan required under section 1702(c).

11 “(2) COMMUNITY-WIDE RESPONSE AND SUP-  
12 PORT.—Evidence of community support for the  
13 project and evidence of the ability to coordinate com-  
14 munity-wide response to crime.

15 “(3) MAINTAIN PROGRAM.—The ability to  
16 maintain a program to control and prevent crime  
17 after funding under this part is no longer available.

18 “(b) GEOGRAPHIC DISTRIBUTION.—The Director  
19 shall attempt, to the extent practicable, to achieve an equi-  
20 table geographic distribution of grant awards.

21 **“SEC. 1705. REPORTS.**

22 “(a) REPORT TO DIRECTOR.—Recipients who receive  
23 funds under this part shall submit to the Director not  
24 later than March 1 of each year a report that describes

1 progress achieved in carrying out the plan required under  
2 section 1702(c).

3 “(b) REPORT TO CONGRESS.—The Director shall  
4 submit to the Congress a report by October 1 of each year  
5 that shall contain a detailed statement regarding grant  
6 awards, activities of grant recipients, and an evaluation  
7 of projects established under this part.

8 **“SEC. 1706. DETERMINATION OF NEED ADJUSTED PER CAP-**  
9 **ITA INCOME.**

10 The Secretary of Housing and Urban Development  
11 shall determine the need adjusted per capita income for  
12 each city that meets the requirements of subparagraphs  
13 (A) and (B) of section 1707(3) under the following  
14 formula:

15 (1) DETERMINATION OF NEED INDEX.—

16 (A) For purposes of this section, the term  
17 “need index” means the number equal to the  
18 quotient of—

19 (i) the term “N”, as determined  
20 under subparagraph (B); divided by

21 (ii) the term “P”, as determined  
22 under subparagraph (C).

23 (B) For purposes of subparagraph (A)(i),  
24 the term “N” means the percentage constituted  
25 by the ratio of—

1 (i) the amount of funds allotted to the  
2 city in the fiscal year in which the calendar  
3 year begins under section 106(a)(3) of the  
4 Housing and Community Development Act  
5 of 1974 (42 U.S.C. 5306(a)(3)); to

6 (ii) the sum of the amount of finds re-  
7 ceived by all eligible cities in such fiscal  
8 year under section 106(a)(3) of the Hous-  
9 ing and Community Development Act of  
10 1974 (42 U.S.C. 5306(a)(3)).

11 (C) For purposes of subparagraph (A)(ii),  
12 the term “P” means the percentage constituted  
13 by the ratio of—

14 (i) the amount equal to the total pop-  
15 ulation of the city, as determined by the  
16 Secretary using the most recent data that  
17 is available from the Secretary of Com-  
18 merce pursuant to the decennial census  
19 and pursuant to reasonable estimates by  
20 such Secretary of changes occurring in the  
21 data in the ensuing period, to

22 (ii) the amount equal to the total pop-  
23 ulation of all eligible cities in the current  
24 fiscal year.

1 (D) For purposes of this paragraph, the  
 2 term “eligible cities” means the cities which  
 3 meet the requirements of paragraph (1) and (2)  
 4 of subsection (b).

5 (2) DETERMINATION OF NEED ADJUSTED PER  
 6 CAPITA INCOME FACTOR.—

7 (A) For purposes of this section (and sub-  
 8 ject to subparagraph (D)), the term “need ad-  
 9 justed per capita income factor” means the  
 10 amount equal to the percentage determined for  
 11 the city in accordance with the following for-  
 12 mula:

$$1 - .15 \left( \frac{I}{Q} \right)$$

13 (B) For purposes of subparagraph (A), the  
 14 term “I” means the per capita income of the  
 15 city for the most recent year for which data are  
 16 available, as determined by the Secretary of  
 17 Commerce.

18 (C) For purposes of subparagraph (A), the  
 19 term “Q” means the product of—

20 (i) the need index of the city, as de-  
 21 termined under paragraph (1); and

22 (ii) the amount equal to the per capita  
 23 income of the United States for the most

1           recent year for which data are available, as  
2           determined by the Secretary of Commerce.

3           (D) In the case of a city for which the  
4           quotient of the term “I” (as determined under  
5           subparagraph (B)) divided by the term “Q” (as  
6           determined under subparagraph (C)) is less  
7           than 0.2, the quotient shall be deemed to be  
8           equal to 0.2 for that city for purposes of the  
9           formula under subparagraph (A).

10 **“SEC. 1707. DEFINITIONS.**

11       “For purposes of this part—

12           “(1) The term ‘community group’ means a  
13           community-based nonprofit organization that has a  
14           primary purpose of crime prevention.

15           “(2) The term ‘Director’ means the Director of  
16           the Bureau of Justice Assistance.

17           “(3) The term ‘economically distressed central  
18           city’ means a city that—

19               “(A) is a metropolitan city (as defined in  
20               section 102(a)(4) of the Housing and Commu-  
21               nity Development Act of 1974 (42 U.S.C.  
22               5302(a)(4));

23               “(B) is eligible to receive an allocation of  
24               funds under section 106(a)(3) of the Housing  
25               and Community Development Act of 1974 (42

1 U.S.C. 5306(a)(3) for the most recent fiscal  
 2 year ending prior to the date of enactment of  
 3 this Act;

4 “(C) has a population of at least 30,000;  
 5 and

6 “(D) has a need adjusted per capita in-  
 7 come less than 1.25 on the basis of the most re-  
 8 cent data available.

9 “(4) The term ‘need adjusted per capita in-  
 10 come’ means the need adjusted per capita income of  
 11 a city determined under section 1706.”.

12 (b) TECHNICAL AMENDMENT.—The table of contents  
 13 of title I of the Omnibus Crime Control and Safe Streets  
 14 Act of 1968 (42 U.S.C. 3711 et seq.) is amended by  
 15 striking the matter relating to part Q and inserting the  
 16 following:

“PART Q—COMMUNITY POLICING; COP ON THE BEAT GRANTS

“Sec. 1701. Grant authorization.

“Sec. 1702. Application.

“Sec. 1703. Allocation of funds; limitation on grants.

“Sec. 1704. Award of grants.

“Sec. 1705. Reports.

“Sec. 1706. Determination of need adjusted per capita income.

“Sec. 1707. Definitions.

“PART Q—TRANSITION; EFFECTIVE DATE; REPEALER

“Sec. 1801. Continuation of rules, authorities, and proceedings.”.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 1001(a) of title I of the Omnibus Crime Con-  
3 trol and Safe Streets Act of 1986 (42 U.S.C. 3793) is  
4 amended—

5 (1) in paragraph (3) by striking “and N” and  
6 inserting “N, O, P, and Q”; and

7 (2) by adding after paragraph (10) the follow-  
8 ing new paragraph:

9 “(10)(A) There is authorized to be appropriated to  
10 carry out part Q \$200,000,000 for fiscal year 1994.”.

○