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Comparative Print: Bill to Bill Differences

Comparing the base document 117hr6448ih with BILLS-117HR6448RH- RCP117-65.

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Text of H.R. 6448, the Invest to Protect Act of 2022 Offered by M_. _____ [Showing the text of H.R. 6448, as introduced, with modifications.]

SECTION 1. Short title.

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

SEC. 2. Grant program.

(a) ~~ESTABLISHMENT.—THERE IS ESTABLISHED A GRANT PROGRAM~~DEFINITIONS.—In this Act:

(1) DE-ESCALATION TRAINING.—The term “de-escalation training” means training relating to taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation so that more time, options, and resources can be called upon to minimize the need for the use of force and increase the likelihood of voluntary compliance, including persuasion, warnings, creating space, use of physical barriers, slowing down the pace of an incident, and requesting additional resources.

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

(3) Eligible local government.—The term “eligible local government” means—

~~(1A) to provide training, body cameras, a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level that employs fewer than 125 law enforcement officers; or~~

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

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

(5) OFFICE.—The term “Office” means the Office of Community Oriented Policing Services of the Department of Justice.

(b) Establishment.—There is established within the Office a grant program to—

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

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

~~(b) AUTHORITY.—Not later than 60/120 days after the date of enactment of this Act, the Director of the Office of Community Oriented Policing Services of the Department shall award grants to eligible local governments as a part of the grant program established under subsection (b).~~

(d) Applications.—

(1) BARRIERS.—The Attorney General shall determine what barriers exist to establishing a streamlined application process for grants under this section.

(2) Report.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report that includes a plan to execute a streamlined application process for grants under this section under which an eligible local government seeking a grant under this section can reasonably complete the application in not more than 2 hours.

~~(B) CONTENTS OF JUSTICE SHALL MAKE A GRANT TO AN ELIGIBLE LOCAL GOVERNMENT.~~

~~(C) ELIGIBLE ACTIVITIES.—AMOUNTS FROM A GRANT MADE UNDER THIS SECTION MAY BE USED~~

PLAN.—The plan required under subparagraph (A) may include a plan for—

(i) proactively providing eligible local governments seeking a grant under this section with information on the data such eligible local governments will need to prepare before beginning the grant application; and

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

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

(4) PREFERENCE.—The Attorney General may give preference to applicants who

specify in their applications that grant amounts will be used for the eligible activities set forth in paragraphs (1), (2), (3), (4), (9), and (10) of subsection (e).

(e) Eligible activities.—An eligible local government that receives a grant under this section may use amounts from the grant only for—

- (1) de-escalation training for law enforcement officers;
- (2) *victim-centered* training for law enforcement officers in handling situations of domestic violence;

(3) *evidence-based* law enforcement ~~officer~~ safety ~~training~~;

(4) the offsetting of overtime costs associated with scheduling issues when a law enforcement officer is participating in such training;

(5) the purchasing, storage, operation, and securing of body cameras, in accordance with guidelines established by the eligible local government or by the Attorney General under subsection (d) of this section, until the eligible local government establishes such guidelines;

(6) a signing

training for response to calls for service involving—

(A) persons with substance use disorders;

(B) persons with mental health needs;

(C) veterans;

(D) persons with disabilities;

(E) vulnerable youth;

(F) persons who are victims of domestic violence, sexual assault, or trafficking; and

(G) persons experiencing homelessness or living in poverty;

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

(5) a signing bonus for a law enforcement officer in an amount determined by the eligible local government;

(6) a retention bonus for a law enforcement officer—

(A) in an amount determined by the eligible local ~~government~~;

(7) a retention bonus for a law enforcement officer in an amount determined by the eligible local government;

(8) a stipend to be used

government that does not exceed 20 percent of the salary of the law enforcement officer; and

(B) who—

(i) has been employed at the law enforcement agency for not fewer than 5 years;

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

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

(7) a stipend for the graduate education of law enforcement officers in the area of mental health, public health, or social work in an amount not greater than work, which shall not exceed the lesser of—

(A) \$10,000; or

(B) the amount the law enforcement officer has paid pays towards such graduate education;

or

(9

(8) providing access for law enforcement officers to evidence-based mental health services, treatments, and therapies.

(d) BODY CAMERA GUIDELINES.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall establish guidelines to be used by an eligible local government until such eligible local government establishes guidelines regarding purchasing, storage, operation, and securing of body cameras based on existing industry best practices

to patient-centered behavioral health services for law enforcement officers, which may include resources for risk assessments, evidence-based, trauma-informed care to treat post-traumatic stress disorder or acute stress disorder, peer support and counselor services and family supports, and the promotion of improved access to high quality mental health care through telehealth;

(9) implementation of evidence-based best practices and training on the use of lethal and nonlethal force;

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

(11) data collection for police practices regarding officer and community safety.

(f) Reporting requirements for grant recipients.—

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

(2) Considerations.—In establishing any requirements under paragraph (1), the Director shall consider the capacity of law enforcement agencies with fewer than 125 officers to collect and report information.

(eg) DISCLOSURE OF OFFICER RECRUITMENT AND RETENTION BONUSES.— An

(1) In general.—Not later than 60 days after the date on which an eligible local government shall disclose to the Attorney General and make publicly available on a website of the eligible local government the amount of any officer recruitment and retention bonus given under subsection (b)(3) of this section that receives a grant under this section awards a signing or retention bonus described in paragraph (5) or (6) of subsection (e), the eligible local government shall disclose to the Director and make publicly available on a website of the eligible local government the amount of such bonus.

(2) *REPORT.*—*The Attorney General shall submit to the appropriate congressional committees an annual report that includes each signing or retention bonus disclosed under paragraph (1) during the preceding year.*

(h) Grant accountability.—*All grants awarded by the Director under this section shall be subject to the following accountability provisions:*

~~(f) AUTHORIZATION OF APPROPRIATIONS.—THERE IS AUTHORIZED TO BE APPROPRIATED \$50,000,000 FOR EACH OF FISCAL YEARS 2022 THROUGH 2026. AUDIT REQUIREMENT.—~~

(A) DEFINITION.—*In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.*

(B) Audits.—*Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General of the Department of Justice shall determine the appropriate number of grantees to be audited each year.*

~~(g) C) DEFINITIONS.—IN THIS ACT:~~

~~(1) DE-ESCALATION TRAINING.—THE TERM “DE-ESCALATION TRAINING” MEANS A PROCESS OR TACTIC USED TO PREVENT, REDUCE, OR MANAGE BEHAVIORS ASSOCIATED WITH CONFLICT (INCLUDING VERBAL~~

MANDATORY EXCLUSION.—*A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 3 fiscal years beginning after the end of the 12-month period described in subparagraph (A).*

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

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) Annual certification.—*Beginning in the fiscal year during which audits commence under paragraph (1)(B), the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification—*

(A) indicating whether—

(i) all audits issued by the Office of the Inspector General or physical agitation, aggression, violence, or similar behaviors) during an interaction

~~between two or more individuals of the Department of Justice under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;~~

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

~~(iii) all reimbursements required under paragraph (1)(E) have been made; and~~

~~(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.~~

~~(i) PROGRAM EVALUATION.—The Attorney General shall, on an annual basis, conduct analyses of the information provided by grant recipients pursuant to subsection (f) to evaluate the efficacy of training programs funded through the grant program established by this Act in reducing the incidence of use of force by the law enforcement agency.~~

~~(j) PREVENTING DUPLICATIVE GRANTS.—~~

~~(2) ELIGIBLE LOCAL GOVERNMENT.—THE TERM “ELIGIBLE LOCAL GOVERNMENT” MEANS—IN GENERAL.—Before the Director awards a grant to an eligible local government under this section, the Attorney General shall compare potential grant awards with other grants awarded by the Attorney General to determine if grant awards are or have been awarded for a similar purpose.~~

~~(A2)~~

~~a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level that employs fewer than 200 law enforcement officers; or~~

~~(B) a tribal government that employs fewer than 200 law enforcement~~

~~Report.—If the Attorney General awards grants to the same applicant for a similar purpose, whether through the grant program established by this Act or other grant programs provided by the Department of Justice, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—~~

~~(A) a list of all such grants awarded, including the total dollar amount of any such grants awarded; and~~

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

~~(k) Funding.—~~

~~(1) In general.—There is authorized to be appropriated \$60,000,000 for each of~~
~~fiscers.~~

~~(3) LAW ENFORCEMENT OFFICER.—The term “law enforcement officer” has~~
~~fiscal years 2023 through 2027 to carry out the grant program under this section.~~

~~(2) Limitation.—In carrying out this section for a fiscal year, if the amounts made available in appropriations Acts for that fiscal year is not less than the meaning given that term in section 2503 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10533) amount authorized to be appropriated under paragraph (1), the Director shall use not less than 20 percent of such amounts in that fiscal year for grants~~

under this section to eligible local governments that will use the grants to carry out one or more of the eligible activities set forth in paragraphs (1), (2), (3), (4), (9), and (10) of subsection (e).

About this report

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