



STATE AND LOCAL LAW ENFORCEMENT GRANT FUNDING *COPS, Byrne-JAG, and Homeland Security Grants*

BACKGROUND

On September 13, 1994, President Clinton signed into law the 'Violent Crime Control and Law Enforcement Act of 1994.' This law authorized for six years the funding of grants to state and local jurisdictions to add 100,000 new officers to our streets and to promote community oriented policing throughout our cities. Additionally, the Office of Community Oriented Policing Services (COPS) was established under the Department of Justice (DOJ) to administer the program.

NAPO served as the leading law enforcement organization, working tirelessly with members of Congress and the administration, to enact the COPS program. Since its inception, the COPS Office has been extremely successful in implementing and carrying out its designated objectives. To date, the COPS Office has funded over 110,000 community police officers in 11,300 communities and countless resources, including enhanced crime fighting technology, equipment, and the development of innovative partnerships with communities to fight crime.

COPS, together with the Local Law Enforcement Block Grant (LLEBG) Program and the Byrne Memorial Fund, gave state and local law enforcement the necessary funding to truly assist their efforts to keep our nation's communities safe. However, on November 20, 2004, Congress agreed to President Bush's proposal to combine the Byrne Grant Program's state formula and the LLEBG Program into a single program known as the Edward Byrne Justice Assistance Grant (JAG); the separate Byrne discretionary grants were retained. The consequence of this overhaul of the Byrne Memorial Fund and the LLEBG grant programs was a significant reduction in funding, which was just part of the sharp decline in funding to these vital programs since fiscal year 2002.

In addition to fighting domestic crime, law enforcement is assuming more duties to protect America's communities against terrorist threats. Law enforcement plays a large role in the mission of the Department of Homeland Security (DHS) to lead the national effort to secure America by preventing and deterring terrorist attacks and to protect against and respond to threats and hazards to the nation. Through three major grant programs provided by DHS, the State Homeland Security Grant Program (SHSGP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Urban Area Security Initiative (UASI), state and local law enforcement receive federal funds to better carry out this mission.

Since the beginning of the 108th Congress in January of 2003, NAPO has had to fight every fiscal year to get Congress and the Administration to fund these vital grant programs. As of fiscal year 2007, the three primary DHS grant programs have been slashed by almost 50% from fiscal year 2003, when these programs received more than \$3 billion in funding. Additionally, funding for DOJ grants has been scaled back by \$1.8 billion since 2001. This steep reduction in funding has occurred despite the fact that state and local law enforcement continue to assume more duties to protect communities against terrorist threats, continue to fight against drugs and domestic crime, and endure pressing state budget constraints. More specifically, as of fiscal year 2007, COPS is operating with less than half of the resources it had in 2001.

RECENT LEGISLATIVE HISTORY

110th Congress (2007-2009)

- S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant program at FY 2006 levels (\$1.1 billion) through 2012. Introduced by Dianne Feinstein (D-CA) on January 9, 2007. **On 5/24/2007, the Senate passed S. 231 by unanimous consent.**
- S. 368, the “COPS Improvements Act of 2007.” Introduced by Joseph R. Biden, Jr. (D-DE) on January 23, 2007. On 3/15/2007, S. 368 was approved by the Senate Judiciary Committee and placed on the Senate legislative calendar. As of 1/3/2008, it had the support of 42 co-sponsors.
- H.R. 1700, House companion bill to S. 368. Introduced by Anthony D. Weiner (D-NY) on March 26, 2007, and referred to the House Judiciary Committee. On 5/2/2004, H.R. 1700 was approved by the Judiciary Committee. **On 5/15/2007, the bill passed the House by a vote of 381-34.**
- S. 345, the “Homeland Security Trust Fund Act of 2007.” Introduced by Joseph R. Biden, Jr. (D-DE) on January 22, 2007, and referred to the Senate Homeland Security and Governmental Affairs Committee. As of 1/3/2008, no further action has been taken on the bill.

109th Congress (2005-2007)

- S. 945, the “PROTECTION Act.” Introduced by Joseph R. Biden, Jr. (D-DE). On 4/28/2005, S. 945 was referred to the Senate Judiciary Committee. No further action was taken on the bill. It had the support of 36 co-sponsors.
- S. 21, the “Homeland Security Grant Enhancement Act of 2005.” Introduced by Susan Collins (R-ME). On 1/25/2005, S. 21 was referred to the Senate Homeland Security and Governmental Affairs Committee. On 5/24/2005, the Committee amended and passed S. 21. No further action was taken on the bill. It had the support of 20 co-sponsors.
- H.R. 1544, the “Faster and Smarter Funding for First Responders Act of 2005.” Introduced by Christopher Cox (R-CA) and Bennie G. Thompson (D-MS). On 4/12/2005, H.R. 1544 was referred to the House Homeland Security Committee. On 4/28/2005, the Committee amended and passed the bill. 5/12/2005, H.R. 1544 passed the House by a vote of 409-10. It was referred to the Senate Committee, which took no action on the bill. It had the support of 40 co-sponsors.

108th Congress (2003-2005)

- S. 679, the “PROTECTION Act.” Introduced by Joseph R. Biden Jr. (D-DE). On 3/20/2003, S. 679 was referred to the Senate Judiciary Committee. No further action was taken on the bill. It had the support of 46 co-sponsors.
- H.R. 3266, the “Faster and Smarter Funding for First Responders Act.” Introduced by Christopher Cox (R-CA). By 6/21/2004, H.R. 3266 was amended and passed by the House Energy and Commerce Committee, the Homeland Security Committee, the Transportation Committee and the Judiciary Committee. No further action was taken on H.R. 3266. It had the support of 62 co-sponsors.
- S. 87, the “Homeland Security Block Grant Act.” Introduced by Hillary R. Clinton (D-NY). On 1/7/2003, S. 87 was referred to the Senate Governmental Affairs Committee. No further action was taken on the bill. It had the support of 9 co-sponsors.

For information on the legislative history of this issue prior to the 108th Congress please contact the NAPO office at (800) 322-NAPO (6276).

NAPO POSITION

Initiatives to put more cops on the street, promote community policing and fight crime should be continued. Most law enforcement officials and the public recognize the benefits of putting more police on the street. The steady decline of violent crime from 1993 – 2003 is evidence of the success of the COPS and Byrne-JAG programs. However, the recent steep increase in violent crime rates in 2004-2006, as indicated by the recent FBI Uniformed Crime Reports, forces us to recognize the fact that we must not become complacent with our past success. There is still much work to be done and we will continue to fight for the resources needed to serve our communities efficiently and effectively.

The dispute over continuing the COPS program and the Byrne-JAG program is part of a larger argument on the merits of federal funding to state and local law enforcement. While the Administration argues that federal monies should go through the Governors for distribution, NAPO has stressed the importance of local funding programs. If monies are focused only to the state level, as DHS grant funds are, the bureaucracy, politics, and time entailed will only delay the receipt of needed funds and remove local decision-making authority from those who know local needs best. In a time when heightened terrorist alerts threaten citizens and city budget coffers alike, funds to combat terrorist threats should not be delayed by trickling down from the State governments while the majority of first responders defend cities and towns.

NAPO supports fully funding these vital DOJ and DHS state and local law enforcement assistance grant programs. Furthermore, NAPO endorses allocating Homeland Security grant funds to states and regions based on threat assessment, vulnerability and consequences, rather than a broad-based political formula.

NAPO will continue to fight for increased funding for these critical programs for fiscal years 2008 and 2009 through the passage of bills like those noted above, as well as through the federal appropriations process.