

113TH CONGRESS  
2D SESSION

# H. R. 5858

To provide for a reduction in the amount that may be awarded to a unit of local government under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) for a unit of local government that funds an amount that is greater than 18 percent of its operating budget using revenue generated from collecting fines and other fees related to violations of traffic laws, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2014

Ms. JACKSON LEE introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Building Bridges and  
3 Transforming Resentment and Unfairness to Support and  
4 Trust for Municipal Law Enforcement Act of 2014” or  
5 the “Build TRUST Act of 2014”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The growing trend of local units of govern-  
9 ment using traffic fines and traffic court fees and  
10 costs as revenue generators promotes unfair, exces-  
11 sive targeting of citizens by law enforcement agents,  
12 infringes on civil liberties, and promotes reliance on  
13 unpredictable revenue sources.

14 (2) The growing trend of local units of govern-  
15 ment using traffic fines and traffic court fees and  
16 costs as revenue generators has the potential to  
17 breed public cynicism and distrust of local law en-  
18 forcement agencies, and to lessen public confidence  
19 that the laws are being enforced impartially and the  
20 criminal justice system is administered equally.

21 **SEC. 3. REDUCTION IN GRANT FUNDING FOR UNITS OF**  
22 **LOCAL GOVERNMENT.**

23 (a) COLLECTION OF FINES FOR VIOLATIONS OF  
24 TRAFFIC LAWS.—Except as provided in subsection (b) or  
25 section 4, a unit of local government which, during the  
26 previous 3 fiscal years, funded an amount that, on aver-

1 age, was greater than 18 percent of its operating budget  
2 using revenue generated from collecting fines and other  
3 fees related to violations of traffic laws, shall, in the case  
4 of a unit of local government receiving grant funds under  
5 subpart 1 of part E of title I of the Omnibus Crime Con-  
6 trol and Safe Streets Act of 1968 (42 U.S.C. 3750 et  
7 seq.), receive only 25 percent of the grant award that  
8 would have otherwise been awarded to that unit of local  
9 government under such subpart.

10 (b) DISPROPORTIONATE RACIAL COMPOSITION OF  
11 LAW ENFORCEMENT AGENCIES.—In the case of a unit of  
12 local government described in subsection (a) for which,  
13 during the previous fiscal year, the percentage of individ-  
14 uals who identify as a race who were employees of the  
15 law enforcement agency for that unit of local government,  
16 and the percentage of individuals who identify as that race  
17 who live in the jurisdiction which that law enforcement  
18 agency serves, differs by greater than 30 percent, the unit  
19 of local government shall receive only 5 percent of the  
20 grant award that would have otherwise been awarded to  
21 that unit of local government under subpart 1 of part E  
22 of title I of the Omnibus Crime Control and Safe Streets  
23 Act of 1968 (42 U.S.C. 3750 et seq.).

24 (c) OBLIGATION OF STATES.—A State that receives  
25 a grant award under subpart 1 of part E of title I of the

1 Omnibus Crime Control and Safe Streets Act of 1968 (42  
2 U.S.C. 3750 et seq.), which does not reduce a subgrant  
3 award made under such grant to a unit of local govern-  
4 ment in its jurisdiction in accordance with this section,  
5 shall, in the succeeding fiscal year, receive only 50 percent  
6 of the grant award that would have otherwise been award-  
7 ed to that State under such subpart.

8 (d) REALLOCATION.—Any funds withheld from a  
9 State or unit of local government from a direct grant  
10 award by the Attorney General shall be reallocated in ac-  
11 cordance with subpart 1 of part E of title I of the Omni-  
12 bus Crime Control and Safe Streets Act of 1968 (42  
13 U.S.C. 3750 et seq.).

14 **SEC. 4. EXEMPTIONS.**

15 The provisions of section 3 shall not apply in the case  
16 of any unit of local government—

17 (1) that serves a population of less than 15,000  
18 people and so certifies to the Attorney General; or

19 (2) to which the Attorney General has granted  
20 a waiver under section 5.

21 **SEC. 5. WAIVERS.**

22 The Attorney General may, in his or her discretion,  
23 grant a waiver under this section to any unit of local gov-  
24 ernment for good cause shown, and shall consider the fol-  
25 lowing factors:

1           (1) Whether, resulting from allegations of ex-  
2           cessive uses of force, false arrests, improper searches  
3           and seizures, failures to discipline officers suffi-  
4           ciently, or failure to supervise officers, the unit of  
5           local government is subject to a consent decree or  
6           Memorandum of Understanding, or the subject of an  
7           investigation by the Special Litigation Section of the  
8           Civil Rights Division of the Department of Justice.

9           (2) Whether the unit of local government has  
10          taken affirmative action to ensure that adequate  
11          practices and procedures are in place to increase  
12          public trust and confidence in the impartial and eq-  
13          uitable administration of justice, including—

14                (A) whether incidents of officer involved  
15                shootings and uses of excessive force are inves-  
16                tigated by a Special Prosecutor appointed by  
17                the Governor, State Attorney General, or Pre-  
18                siding Judge of the local court of jurisdiction;

19                (B) whether incidents of officer involved  
20                shootings and uses of excessive force are adju-  
21                dicated in a public proceeding rather than the  
22                grand jury process.

1           (3) Whether the minority community is equi-  
2           tably represented in the municipality's legislative  
3           body and executive departments.

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