

114TH CONGRESS  
1ST SESSION

# S. 1897

To help keep law enforcement officers and communities safer by making grants to purchase body worn cameras for use by State, local, and tribal law enforcement officers.

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## IN THE SENATE OF THE UNITED STATES

JULY 29, 2015

Mr. SCOTT (for himself, Mr. GRAHAM, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To help keep law enforcement officers and communities safer by making grants to purchase body worn cameras for use by State, local, and tribal law enforcement officers.

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 “Safer Officers and  
5 Safer Citizens Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) While police body worn cameras are not a  
2           panacea, they do contribute to keeping both law en-  
3           forcement officers and citizens safer.

4           (2) Increasing the use of body worn cameras by  
5           law enforcement officers has been shown by multiple  
6           studies to significantly reduce the number of use of  
7           force incidents and the number of citizen complaints.

8           (3) Increased accountability and transparency  
9           in policing activities will benefit all our citizens, in-  
10          cluding our law enforcement officers.

11 **SEC. 3. GRANT PROGRAM.**

12          Title I of the Omnibus Crime Control and Safe  
13          Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended  
14          by adding at the end the following:

15          **“PART LL—GRANT PROGRAM FOR BODY WORN**  
16          **CAMERAS FOR LAW ENFORCEMENT OFFICERS**  
17          **“SEC. 3021. PROGRAM AUTHORIZED.**

18          “(a) IN GENERAL.—The Director of the Bureau of  
19          Justice Assistance is authorized to make grants to States,  
20          units of local government, and Indian tribes to purchase  
21          body worn cameras for use by State, local, and tribal law  
22          enforcement officers.

23          “(b) USES OF FUNDS.—Grants awarded under this  
24          section shall be—

1           “(1) distributed directly to the State, unit of  
2 local government, or Indian tribe; and

3           “(2) used for the purchase of—

4                 “(A) body worn cameras for law enforce-  
5 ment officers; and

6                 “(B) necessary initial supportive techno-  
7 logical infrastructure for body worn cameras for  
8 law enforcement officers in the jurisdiction of  
9 the grantee.

10          “(c) PREFERENTIAL CONSIDERATION.—In awarding  
11 grants under this part, the Director of the Bureau of Jus-  
12 tice Assistance shall give preferential consideration, if fea-  
13 sible, to an application from a jurisdiction that—

14                 “(1) has in place a comprehensive policy that  
15 is—

16                 “(A) developed in consultation with a  
17 broad group of criminal justice experts and  
18 community members, and that contains policies  
19 and procedures addressing deployment, video  
20 capture, privacy protections, viewing, use, re-  
21 lease, storage, retention, the effect on commu-  
22 nity-police interactions, and audits and controls;

23                 “(B) supported by a comprehensive com-  
24 munication and education campaign that in-  
25 volves interested parties in law enforcement,

1 courts, prosecution, the defense bar, civic lead-  
2 ership, labor organizations, victim and juvenile  
3 advocacy, the media, and the public; and

4 “(C) informed by the best practices on  
5 body worn cameras developed by the Depart-  
6 ment of Justice;

7 “(2) has the greatest need for body worn cam-  
8 eras based on the percentage of law enforcement of-  
9 ficers in the department who do not have access to  
10 a body worn camera;

11 “(3) has a violent crime rate at or above the  
12 national average as determined by the Bureau of  
13 Justice Statistics; and

14 “(4) commits to submitting such metrics on the  
15 usage of body worn cameras, in such a format and  
16 at such a time as the Department of Justice shall  
17 reasonably specify, for the purposes of collecting and  
18 studying data on the effectiveness of body worn cam-  
19 eras to increase safety for both law enforcement offi-  
20 cers and citizens.

21 “(d) MATCHING FUNDS.—The portion of the costs of  
22 a program provided by a grant under subsection (a) may  
23 not exceed 75 percent. Any funds appropriated by Con-  
24 gress for the activities of any agency of an Indian tribal  
25 government or the Bureau of Indian Affairs performing

1 law enforcement functions on any Indian lands may be  
2 used to provide the non-Federal share of a matching re-  
3 quirement funded under this subsection.

4 **“SEC. 3022. APPLICATIONS.**

5       “(a) IN GENERAL.—To request a grant under this  
6 part, the chief executive of a State, unit of local govern-  
7 ment, or Indian tribe shall submit an application to the  
8 Director of the Bureau of Justice Assistance in such form  
9 and containing such information as the Director may rea-  
10 sonably require.

11       “(b) REGULATIONS.—Not later than 90 days after  
12 the date of the enactment of this part, the Director of  
13 the Bureau of Justice Assistance shall promulgate regula-  
14 tions to implement this section, including the information  
15 that must be included and the requirements that the  
16 States, units of local government, and Indian tribes must  
17 meet in submitting the applications required under this  
18 section.

19 **“SEC. 3023. DEFINITIONS.**

20       “For purposes of this part—

21               “(1) the term ‘Indian tribe’ has the same mean-  
22 ing as in section 4(e) of the Indian Self-Determina-  
23 tion and Education Assistance Act (25 U.S.C.  
24 450b(e));

1           “(2) the term ‘law enforcement officer’ means  
2           any officer, agent, or employee of a State, unit of  
3           local government, or Indian tribe authorized by law  
4           or by a government agency to engage in or supervise  
5           the prevention, detection, or investigation of any vio-  
6           lation of criminal law, or authorized by law to super-  
7           vise sentenced criminal offenders;

8           “(3) the term ‘State’ means each of the 50  
9           States, the District of Columbia, the Commonwealth  
10          of Puerto Rico, the United States Virgin Islands,  
11          American Samoa, Guam, and the Northern Mariana  
12          Islands; and

13          “(4) the term ‘unit of local government’ means  
14          a county, municipality, town, township, village, par-  
15          ish, borough, or other unit of general government  
16          below the State level.

17 **“SEC. 3024. AUTHORIZATION OF APPROPRIATIONS.**

18          “(a) IN GENERAL.—There are authorized to be ap-  
19          propriated to carry out this part, \$100,000,000 for each  
20          of fiscal years 2016 through 2021.

21          “(b) REMAINING FUNDS.—Any amounts made avail-  
22          able to carry out this part that are unobligated at the end  
23          of each fiscal year, shall be returned to the general fund  
24          of the Treasury for debt reduction.”.

1 **SEC. 4. OFFSET.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Office of Personnel Management allows  
4 for administrative leave as an administratively au-  
5 thorized absence from duty without loss of pay or  
6 charge to leave, but recognizes that administrative  
7 leave is not an entitlement, and agencies are not re-  
8 quired to grant it.

9 (2) Administrative leave does not include an-  
10 nual leave, maternity leave, sick leave, leave taken in  
11 accordance with the Family and Medical Leave Act  
12 of 1993 (29 U.S.C. 2611 et seq.), or military leave.

13 (3) A Government Accountability Office report  
14 on Federal paid administrative leave detailed data  
15 from the Office of Personnel Management that  
16 showed that from fiscal year 2011 through fiscal  
17 year 2013, about 97 percent of Federal employees  
18 charged 20 days or less of paid administrative leave,  
19 although some Federal employees charged between 1  
20 and 3 years of paid administrative leave. Further,  
21 Agency officials stated that the most common reason  
22 for which selected employees charged amounts rel-  
23 atively higher than the agency average was for per-  
24 sonnel matters, such as investigations into alleged  
25 misconduct.

26 (b) REQUIREMENT.—

1 (1) DEFINITIONS.—In this subsection—

2 (A) the term “administrative leave” means  
3 leave without loss of or reduction in—

4 (i) pay;

5 (ii) leave to which an employee is oth-  
6 erwise entitled; or

7 (iii) credit for time or service; and

8 (B) the term “agency” has the meaning  
9 given the term “executive agency” under sec-  
10 tion 105 of title 5, United States Code.

11 (2) REGULATIONS.—Not later than 90 days  
12 after the date of enactment of this Act—

13 (A) the Office of Personnel Management  
14 shall issue regulations limiting administrative  
15 leave for an employee of any agency to not  
16 more than 20 days per year, unless approved  
17 individually by the head of the agency; and

18 (B) the Office of Management and Budget  
19 shall ensure each agency adjusts the number of  
20 employees (determined on a full-time equivalent  
21 basis) authorized to be employed by the agency,  
22 and each component of the agency, to reflect  
23 lower personnel requirements due to increased  
24 available work hours per employee.

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