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Community Oriented Policing Services (COPS) Program

Background

Under the initial authorization for the Community Oriented Policing Services (COPS) program (Title I of the Violent Crime Control and Law Enforcement Act of 1994, P.L. 103-322, “the 1994 Crime Act”), grants could be awarded for (1) hiring new police officers or rehiring police officers who have been laid off to engage in community policing, (2) hiring former members of the armed services to serve as career law enforcement officers engaged in community policing, and (3) supporting non-hiring initiatives, such as training law enforcement officers in crime prevention and community policing techniques or developing technologies that support crime prevention strategies.

The COPS program was reauthorized by the Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162). The act reauthorized appropriations for the COPS program from FY2006 to FY2009. Under that authorization, the COPS program changed from a multi-grant program to a single-grant program under which DOJ can make grants to state, local, and tribal governments, and other public and private entities for a variety of enumerated purposes, including hiring or rehiring community policing officers; procuring law enforcement equipment, technology, or support systems; or establishing school-based partnerships between local law enforcement agencies and local school systems (see 34 U.S.C. § 10381(b)).

Congress has continued to appropriate funding for the COPS program even though authorized appropriations for the program expired in FY2009.

COPS Funding

From FY1995 to FY1999, the annual appropriation for the COPS program averaged nearly \$1.4 billion. The relatively high levels of funding during this time period were largely the result of efforts to place 100,000 new law enforcement officers on the streets.

After the initial push to hire and fund 100,000 new law enforcement officers, Congress started to change COPS into a conduit for supporting a wider range of local law enforcement needs. Starting in FY1998, an increasing portion of the annual appropriation for COPS was dedicated to programs that helped law enforcement agencies purchase new equipment, combat methamphetamine production, upgrade criminal history records, and improve their forensic science capabilities. Increasing funding for non-hiring initiatives under the COPS account coincided with decreasing funding for hiring programs. By FY2005, appropriations for hiring programs were nearly nonexistent, and Congress eliminated funding for them for FY2006 and FY2007. Funding for hiring programs was revived when the American Recovery and Reinvestment Act of 2009

(P.L. 111-5) provided \$1 billion for COPS. Appropriations for hiring programs from FY2009 to FY2012 were the result of Congress’s efforts to help local law enforcement agencies facing budget cuts as a result of the recession either hire new law enforcement officers or retain officers they would otherwise have to lay off. Appropriations continued to be provided for hiring programs even as the effects of that recession waned.

There has been a notable reduction in the total amount of funding provided for COPS since FY2011. Prior to FY2011, the least amount of annual funding (in nominal dollars) provided for COPS was \$472 million for FY2006. From FY2007 to FY2017, annual COPS funding ranged from a low of \$199 million for FY2012 to a high of \$222 million for FY2017. Although COPS funding has increased steadily since FY2017, annual funding has remained significantly lower than before FY2011. Lower annual appropriations for COPS can be attributed to three trends: (1) a decrease in the amount of funding provided for hiring programs, (2) the congressional earmark ban, and (3) Congress’s restructuring of the COPS account.

Congress implemented a ban on earmarks starting with appropriations for FY2011. This ban substantially decreased funding for the Law Enforcement Technology and the Methamphetamine Clean-up programs, which were being administered by the COPS Office. By FY2012, Congress did not appropriate any funding for the Law Enforcement Technology program and the only funding remaining for the Methamphetamine Clean-up program was transferred to the Drug Enforcement Administration to assist with the clean-up of clandestine methamphetamine laboratories. Congress ceased providing funding for the Methamphetamine Clean-up program in FY2018.

From FY2010 to FY2012, Congress moved appropriations for several programs that were funded under the COPS account—such as Project Safe Neighborhoods, DNA backlog reduction initiatives, Paul Coverdell grants, offender reentry programs, the National Criminal History Improvement program, and the Bulletproof Vest Grant program—to the State and Local Law Enforcement Assistance (S&LLEA) account. Programs funded under this account are administered by the Office of Justice Programs (OJP). Prior to the programs being moved to the S&LLEA, appropriations for them were transferred from COPS to OJP for administration. In general, from FY2001 to FY2011, appropriations for programs that were transferred to OJP accounted for one-third to one-half of the annual funding for the COPS account. In recent fiscal years, a proportion of the COPS account has again been transferred to OJP. Since FY2017, Congress has provided funding for the Regional Information Sharing System (RISS) program under the COPS account, which is transferred to OJP.

Funding for COPS has increased in the last four fiscal years, from \$276 million for FY2018 to \$386 million for FY2021. Increased funding for the COPS account is the result of Congress increasing funding for hiring programs, and for anti-heroin task forces, active shooter training, and grants under the Matching Grant Program for School Security. Also, for FY2021, funding was provided for programs to promote policing reform efforts, such as funding for de-escalation training, improving law enforcement's response to people with mental health problems, helping law enforcement agencies gain accreditation, and anti-bias and diversity training.

Recently, funding for COPS, especially the hiring program, has become a flashpoint in the debate over policing reform. Many proponents of law enforcement reform argue that law enforcement agencies police communities of color in a biased way, and more police officers means that more people of color, especially Black men, could be arrested for relatively minor offenses. Proponents argue that funding should be used for programs that address social problems (e.g., poverty, homelessness, lack of access to mental health care) in order to reduce involvement with the criminal justice system rather than increasing the number of police officers. President Biden has indicated his support for the COPS program as a way to promote law enforcement reform through community policing efforts. In his plan for criminal justice reform, President Biden states “policing works best when officers are out of their cruisers and walking the streets, engaging with and getting to know members of their communities. But in order to do that, police departments need resources to hire a sufficient number of officers.... However, the [COPS] program has never been funded to fulfill the original vision for community policing.... As a condition of the grant, hiring of police officers must mirror the racial diversity of the community they serve.”

Table 1. COPS' Total Budget Authority, Funding for Hiring Programs, and Transfers to OJP, FY1995-FY2021

Amounts in millions of nominal dollars

Fiscal Year	Total Budget Authority	Funding for Hiring Programs	Proportion Transferred to OJP
1995	\$1,300	\$1,057	0%
1996	1,400	1,128	0%
1997	1,420	1,339	0%
1998	1,633	1,338	0%
1999	1,520	1,201	4%
2000	913	481	21%
2001	1,042	408	30%

Fiscal Year	Total Budget Authority	Funding for Hiring Programs	Proportion Transferred to OJP
2002	1,105	385	33%
2003	978	199	35%
2004	748	114	36%
2005	598	10	38%
2006	472	—	53%
2007	542	—	51%
2008	587	20	41%
2009	1,551	1,000	18%
2010	792	298	26%
2011	495	247	34%
2012	199	141	0%
2013	210	155	0%
2014	214	151	0%
2015	208	135	0%
2016	212	137	0%
2017	222	137	14%
2018	276	150	13%
2019	304	153	12%
2020	343	156	11%
2021	386	157	10%

Source: FY1995-FY2017 appropriations were provided by the U.S. Department of Justice, Office of Community Oriented Policing Services; FY2018-FY2021 appropriations were taken from the explanatory statement to accompany the annual Commerce, Justice, Science, and Related Agencies Appropriations Act.

Notes: Total budget authority includes carryover from previous fiscal years. The FY2009 enacted amount includes \$1 billion COPS received for hiring grants for FY2009 appropriated under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). The FY2013 enacted amount includes the amount sequestered per the Budget Control Act of 2011 (P.L. 112-25).

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