

**Calendar No. 422**117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 4003**

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises.

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**IN THE SENATE OF THE UNITED STATES**

APRIL 5, 2022

Mr. CORNYN (for himself, Mr. WHITEHOUSE, Mr. CASSIDY, Ms. HASSAN, Mr. SCOTT of South Carolina, Mr. COONS, Mrs. CAPITO, Ms. KLOBUCHAR, Mr. TILLIS, Mrs. FEINSTEIN, Mr. CRAMER, Mr. BLUMENTHAL, Mr. BLUNT, Ms. CORTEZ MASTO, Mr. LEAHY, Mr. DURBIN, Mr. CRUZ, Mr. OSSOFF, Mrs. BLACKBURN, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

JUNE 14, 2022

Reported by Mr. DURBIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises.

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 “Law Enforcement De-  
3 Escalation Training Act of 2022”.

4 **SEC. 2. TRAINING ON ALTERNATIVES TO USE OF FORCE,**  
5 **DE-ESCALATION, AND MENTAL AND BEHAV-**  
6 **IORAL HEALTH CRISES.**

7 (a) DEFINITIONS.—Section 901(a) of title I of the  
8 Omnibus Crime Control and Safe Streets Act of 1968 (34  
9 U.S.C. 10251(a)) is amended—

10 (1) in paragraph (27), by striking “and” at the  
11 end;

12 (2) in paragraph (28), by striking the period at  
13 the end and inserting a semicolon; and

14 (3) by adding at the end the following:

15 “(29) the term ‘de-escalation’ means taking ac-  
16 tion or communicating verbally or non-verbally dur-  
17 ing a potential force encounter in an attempt to sta-  
18 bilize the situation and reduce the immediacy of the  
19 threat so that more time, options, and resources can  
20 be called upon to resolve the situation without the  
21 use of force or with a reduction in the force nec-  
22 essary;

23 “(30) the term ‘mental or behavioral health or  
24 suicidal crisis’—

25 “(A) means a situation in which the behav-  
26 ior of a person—

1                   “(i) puts the person at risk of hurting  
2                   himself or herself or others; or

3                   “(ii) impairs or prevents the person  
4                   from being able to care for himself or her-  
5                   self or function effectively in the commu-  
6                   nity; and

7                   “(B) includes a situation in which a per-  
8                   son—

9                   “(i) is under the influence of a drug  
10                  or alcohol; is suicidal; or experiences symp-  
11                  toms of a mental illness; or

12                  “(ii) may exhibit symptoms, including  
13                  emotional reactions (such as fear or  
14                  anger); psychological impairments (such as  
15                  inability to focus; confusion; or psychosis);  
16                  and behavioral reactions (such as the trig-  
17                  ger of a freeze, fight, or flight response);

18                  “(31) the term ‘disability’ has the meaning  
19                  given that term in section 3 of the Americans with  
20                  Disabilities Act of 1990 (42 U.S.C. 12102);

21                  “(32) the term ‘crisis intervention team’ means  
22                  a collaborative, interdisciplinary team that brings to-  
23                  gether specially trained law enforcement officers;  
24                  mental health providers; and other community stake-  
25                  holders to respond to mental health-related calls; use

1 appropriate de-escalation techniques, and assess if  
 2 referral to services or transport for mental health  
 3 evaluation is appropriate; and

4 “~~(33)~~ the term ‘covered mental health profes-  
 5 sional’ means a mental health professional working  
 6 on a crisis intervention team—

7 “~~(A)~~ as an employee of a law enforcement  
 8 agency; or

9 “~~(B)~~ under a legal agreement with a law  
 10 enforcement agency.”.

11 ~~(b) COPS PROGRAM.—Section 1701 of title I of the~~  
 12 ~~Omnibus Crime Control and Safe Streets Act of 1968 (34~~  
 13 ~~U.S.C. 10381) is amended by adding at the end the fol-~~  
 14 ~~lowing:~~

15 “~~(n) TRAINING IN ALTERNATIVES TO USE OF~~  
 16 ~~FORCE, DE-ESCALATION TECHNIQUES, AND MENTAL~~  
 17 ~~AND BEHAVIORAL HEALTH CRISES.—~~

18 “~~(1) TRAINING CURRICULA.—~~

19 “~~(A) IN GENERAL.—Not later than 180~~  
 20 ~~days after the date of enactment of this sub-~~  
 21 ~~section, the Attorney General shall develop~~  
 22 ~~training curricula and identify effective existing~~  
 23 ~~training curricula for law enforcement officers~~  
 24 ~~and for covered mental health professionals re-~~  
 25 ~~garding—~~

1           “(i) alternatives to use of force and  
2           de-escalation tactics;

3           “(ii) safely responding to an indi-  
4           vidual experiencing a mental or behavioral  
5           health or suicidal crisis or an individual  
6           with a disability, including techniques and  
7           strategies that are designed to protect the  
8           safety of that individual, law enforcement  
9           officers, mental health professionals, and  
10          the public;

11          “(iii) successfully participating on a  
12          crisis intervention team; and

13          “(iv) making referrals to community-  
14          based mental and behavioral health serv-  
15          ices and support, housing assistance pro-  
16          grams, public benefits programs, the Na-  
17          tional Suicide Prevention Lifeline, and  
18          other services.

19          “(B) REQUIREMENTS.—The training cur-  
20          ricula developed or identified under this para-  
21          graph shall include—

22                 “(i) scenario-based exercises;

23                 “(ii) pre-training and post-training  
24                 tests to assess relevant knowledge and  
25                 skills covered in the training curricula; and

1           “(iii) follow-up evaluative assessments  
2           to determine the degree to which partici-  
3           pants in the training apply, in their jobs,  
4           the knowledge and skills gained in the  
5           training.

6           “(C) CONSULTATION.—The Attorney Gen-  
7           eral shall develop and identify training curricula  
8           under this paragraph in consultation with rel-  
9           evant law enforcement agencies of States and  
10          units of local government, associations that rep-  
11          resent individuals with mental or behavioral  
12          health diagnoses or individuals with disabilities,  
13          labor organizations, professional law enforce-  
14          ment organizations, local law enforcement labor  
15          and representative organizations, law enforce-  
16          ment trade associations, mental health and sui-  
17          cide prevention organizations, family advocacy  
18          organizations, and civil liberties groups.

19          “(2) CERTIFIED PROGRAMS.—

20                 “(A) IN GENERAL.—Not later than 180  
21                 days after the date of enactment of this sub-  
22                 section, the Attorney General shall establish a  
23                 process to—

24                         “(i) certify public and private entities  
25                         that offer courses to law enforcement offi-

1           cers or covered mental health professionals  
2           using 1 or more of the training curricula  
3           developed or identified under paragraph  
4           (1), or equivalents to such training cur-  
5           ricula, which may include certifying an en-  
6           tity that was providing such a course on or  
7           before the date on which the Attorney Gen-  
8           eral establishes the process; and

9           “(ii) terminate the certification of an  
10          entity if the courses offered by the entity  
11          fail to continue to meet the standards  
12          under the training curricula developed or  
13          identified under paragraph (1).

14          “(B) PARTNERSHIPS WITH MENTAL  
15          HEALTH ORGANIZATIONS AND EDUCATIONAL  
16          INSTITUTIONS.—Not later than 180 days after  
17          the date of enactment of this subsection, the  
18          Attorney General shall develop criteria to en-  
19          sure that public and private entities certified  
20          under subparagraph (A) collaborate with local  
21          mental health organizations to—

22          “(i) enhance the training experience  
23          of law enforcement officers through con-  
24          sultation with and the participation of indi-  
25          viduals with mental or behavioral health

1 diagnoses or disabilities, particularly such  
2 individuals who have interacted with law  
3 enforcement officers; and

4 “(ii) strengthen relationships between  
5 health care services and law enforcement  
6 agencies.

7 “(3) TRANSITIONAL REGIONAL TRAINING PRO-  
8 GRAMS FOR STATE AND LOCAL AGENCY PER-  
9 SONNEL.—

10 “(A) IN GENERAL.—Until the date that is  
11 2 years after the date on which the Attorney  
12 General develops and identifies training cur-  
13 ricula under paragraph (1), the Attorney Gen-  
14 eral shall, and thereafter may, provide, in col-  
15 laboration with law enforcement training acad-  
16 emies of States and units of local government  
17 as appropriate, regional training to equip and  
18 certify personnel from law enforcement agencies  
19 of States and units of local government in a  
20 State to conduct training using 1 or more of  
21 the training curricula developed or identified  
22 under paragraph (1), or equivalents to such  
23 training curricula.

24 “(B) CONTINUING EDUCATION.—The At-  
25 torney General shall develop and implement



1 continuing education requirements for personnel  
2 from law enforcement agencies of States and  
3 units of local government certified under sub-  
4 paragraph (A).

5 “(4) LIST.—Not later than 1 year after the At-  
6 torney General completes the activities described in  
7 paragraphs (1) and (2), the Attorney General shall  
8 publish a list of law enforcement agencies of States  
9 and units of local government employing law en-  
10 forcement officers or using covered mental health  
11 professionals who have successfully completed a  
12 course using 1 or more of the training curricula de-  
13 veloped or identified under paragraph (1), or equiva-  
14 lents to such training curricula, which shall in-  
15 elude—

16 “(A) the total number of law enforcement  
17 officers that are employed by the agency;

18 “(B) the number of such law enforcement  
19 officers who have completed such a course;

20 “(C) whether personnel from the law en-  
21 forcement agency have been certified under  
22 paragraph (3) to conduct the training;

23 “(D) the total number of covered mental  
24 health professionals who work with the agency;  
25 and

1           “(E) the number of such covered mental  
2 health professionals who have completed such a  
3 course.

4           “(5) AUTHORIZATION OF APPROPRIATIONS.—  
5 There is authorized to be appropriated to carry out  
6 this subsection \$20,000,000 for each of fiscal years  
7 2022 through 2026.”.

8           (e) BYRNE JAG PROGRAM.—Subpart 1 of part E of  
9 title I of the Omnibus Crime Control and Safe Streets Act  
10 of 1968 (34 U.S.C. 10151 et seq.) is amended—

11           (1) by redesignating section 508 as section 509;  
12 and

13           (2) by inserting after section 507 the following:

14 **“SEC. 508. LAW ENFORCEMENT TRAINING PROGRAMS.**

15           “(a) DEFINITIONS.—In this section—

16           “(1) the term ‘approved training course’ means  
17 a course using 1 or more of the training curricula  
18 developed or identified under section 1701(n)(1) or  
19 equivalents to such training curricula—

20           “(A) provided by the Attorney General  
21 under section 1701(n)(3); or

22           “(B) provided by a certified entity; and

23           “(2) the term ‘certified entity’ means a public  
24 or private entity that has been certified by the At-  
25 torney General under section 1701(n)(2), which may

1 include a law enforcement agency or law enforce-  
2 ment training academy of a State or unit of local  
3 government the personnel of which have been cer-  
4 tified to conduct training pursuant to section  
5 1701(n)(3).

6 “(b) AUTHORITY.—

7 “(1) IN GENERAL.—Not later than 90 days  
8 after the Attorney General completes the activities  
9 required by paragraphs (1) and (2) of section  
10 1701(n), the Attorney General shall, from amounts  
11 made available to fund training programs pursuant  
12 to subsection (g), make grants to States for use by  
13 the State or a unit of government located in the  
14 State to—

15 “(A) pay for—

16 “(i) costs associated with conducting  
17 the training or, subject to paragraph (2),  
18 continuing education; and

19 “(ii) attendance by law enforcement  
20 officers or covered mental health profes-  
21 sionals at an approved training course, in-  
22 cluding a course provided by a law enforce-  
23 ment training academy of a State or unit  
24 of local government;

1           “(B) procure training or, subject to para-  
 2 graph (2), continuing education on 1 or more of  
 3 the topics described in section 1701(n)(1)(A)  
 4 from a certified entity;

5           “(C) in the case of a law enforcement  
 6 agency of a unit of local government that em-  
 7 ploys fewer than 50 employees (determined on  
 8 a full-time equivalent basis), pay for the costs  
 9 of overtime accrued as a result of the attend-  
 10 ance of a law enforcement officer or covered  
 11 mental health professional at an approved  
 12 training course for which the costs associated  
 13 with conducting the approved training course  
 14 are paid using amounts provided under this sec-  
 15 tion; and

16           “(D) pay for the costs of developing mech-  
 17 anisms to comply with the reporting require-  
 18 ments established under subsection (d), in an  
 19 amount not to exceed 5 percent of the total  
 20 amount of the grant award.

21           “(2) REQUIREMENTS FOR USE FOR CON-  
 22 TINUING EDUCATION.—

23           “(A) DEFINITION.—In this paragraph, the  
 24 term ‘covered topic’ means a topic covered  
 25 under the curricula developed or identified

1 under clause (i), (ii), or (iv) of section  
2 1701(n)(1)(A).

3 “(B) REQUIREMENT TO PROVIDE INITIAL  
4 TRAINING.—A State or unit of local government  
5 shall ensure that all officers who have been em-  
6 ployed with the State or unit of local govern-  
7 ment for at least 2 years have received training  
8 on all covered topics before the State or unit of  
9 local government uses amounts received under a  
10 grant under paragraph (1) for continuing edu-  
11 cation with respect to any covered topic.

12 “(C) START DATE OF AVAILABILITY OF  
13 FUNDING.—

14 “(i) IN GENERAL.—Subject to clause  
15 (ii), a State or unit of local government  
16 may not use amounts received under a  
17 grant under paragraph (1) for continuing  
18 education with respect to a covered topic  
19 until the date that is 2 years after the date  
20 of enactment of the Law Enforcement De-  
21 Escalation Training Act of 2022.

22 “(ii) EXCEPTION.—A State or unit of  
23 local government may use amounts re-  
24 ceived under a grant under paragraph (1)  
25 for continuing education with respect to a

1 covered topic during the 2-year period be-  
2 ginning on the date of enactment of the  
3 Law Enforcement De-Escalation Training  
4 Act of 2022 if the State or unit of local  
5 government has complied with subpara-  
6 graph (B) using amounts available to the  
7 State or unit of local government other  
8 than amounts received under a grant  
9 under paragraph (1).

10 ~~“(3) MAINTAINING RELATIONSHIPS WITH~~  
11 ~~LOCAL MENTAL HEALTH ORGANIZATIONS.—~~A State  
12 or unit of local government that receives funds  
13 under this section shall establish and maintain rela-  
14 tionships between law enforcement officers and local  
15 mental health organizations and health care services.

16 ~~“(c) ALLOCATION OF FUNDS.—~~

17 ~~“(1) IN GENERAL.—~~Of the total amount appro-  
18 priated to carry out this section for a fiscal year, the  
19 Attorney General shall allocate funds to each State  
20 in proportion to the total number of law enforcement  
21 officers in the State that are employed by the State  
22 or a unit of local government within the State, as  
23 compared to the total number of law enforcement of-  
24 ficers in the United States.

1           “(2) RETENTION OF FUNDS FOR TRAINING FOR  
 2           STATE LAW ENFORCEMENT OFFICERS PROPOR-  
 3           TIONAL TO NUMBER OF STATE OFFICERS.—Each  
 4           fiscal year, each State may retain, for use for the  
 5           purposes described in this section, from the total  
 6           amount of funds provided to the State under para-  
 7           graph (1) an amount that is not more than the  
 8           amount that bears the same ratio to such total  
 9           amount as the ratio of—

10                   “(A) the total number of law enforcement  
 11                   officers employed by the State; to

12                   “(B) the total number of law enforcement  
 13                   officers in the State that are employed by the  
 14                   State or a unit of local government within the  
 15                   State.

16           “(3) PROVISION OF FUNDS FOR TRAINING FOR  
 17           LOCAL LAW ENFORCEMENT OFFICERS.—

18                   “(A) IN GENERAL.—A State shall make  
 19                   available to units of local government in the  
 20                   State for the purposes described in this section  
 21                   the amounts remaining after a State retains  
 22                   funds under paragraph (2).

23                   “(B) ADDITIONAL USES.—A State may,  
 24                   with the approval of a unit of local government,

1 use the funds allocated to the unit of local gov-  
2 ernment under subparagraph (A)—

3 “(i) to facilitate training or, subject to  
4 subsection (b)(2), continuing education in  
5 the 1 or more of the topics described in  
6 section 1701(n)(1)(A) to law enforcement  
7 officers employed by the unit of local gov-  
8 ernment; or

9 “(ii) for the costs of training and cer-  
10 tifying local law enforcement officers, in-  
11 cluding through law enforcement training  
12 academies of States and units of local gov-  
13 ernment, to conduct training under section  
14 1701(n)(3).

15 “(C) CONSULTATION.—The Attorney Gen-  
16 eral, in consultation with relevant law enforce-  
17 ment agencies of States and units of local gov-  
18 ernment, associations that represent individuals  
19 with mental or behavioral health diagnoses or  
20 individuals with disabilities, labor organizations,  
21 professional law enforcement organizations,  
22 local law enforcement labor and representative  
23 organizations, law enforcement trade associa-  
24 tions, mental health and suicide prevention or-  
25 ganizations, family advocacy organizations, and



1 civil liberties groups, shall develop criteria gov-  
 2 erning the allocation of funds to units of local  
 3 government under this paragraph, which shall  
 4 ensure that the funds are distributed as widely  
 5 as practicable in terms of geographical location  
 6 and to both large and small law enforcement  
 7 agencies of units of local government.

8 “(D) ANNOUNCEMENT OF ALLOCATIONS.—

9 Not later than 30 days after the date on which  
 10 a State receives an award under paragraph (1),  
 11 the State shall announce the allocations of  
 12 funds to units of local government under sub-  
 13 paragraph (A). A State shall submit to the At-  
 14 torney General a report explaining any delays  
 15 in the announcement of allocations under this  
 16 subparagraph.

17 “(d) REPORTING.—

18 “(1) UNITS OF LOCAL GOVERNMENT.—Any  
 19 unit of local government that receives funds from a  
 20 State under subsection (c)(3) for a training program  
 21 described in subsection (b) shall submit to the State  
 22 or the Attorney General an annual report with re-  
 23 spect to the first fiscal year during which the unit  
 24 of local government receives such funds and each of  
 25 the 2 fiscal years thereafter that shall include—

1           “(A) the number of law enforcement offi-  
2           cers employed by the unit of local government  
3           that have completed an approved training  
4           course, including an approved training course  
5           provided on or before the date on which the At-  
6           torney General begins certifying entities under  
7           section 1701(n)(2); the topics covered in those  
8           courses; and the number of officers who re-  
9           ceived training in each topic, including; at the  
10          election of the unit of local government, an ap-  
11          proved training course using funds provided  
12          from a source other than the grants described  
13          under subsection (b);

14          “(B) the total number of law enforcement  
15          officers employed by the unit of local govern-  
16          ment;

17          “(C) a description of any barriers to pro-  
18          viding training on the topics described in sec-  
19          tion 1701(n)(1)(A);

20          “(D) information gathered through—

21                  “(i) pre-training and post-training  
22                  tests that assess relevant knowledge and  
23                  skills covered in the training curricula; as  
24                  specified in section 1701(n)(1); and

1           “(ii) follow-up evaluative assessments  
2           to determine the degree to which partici-  
3           pants in the training apply, in their jobs,  
4           the knowledge and skills gained in the  
5           training; and

6           “(E) the amount of funds received by the  
7           unit of local government under subsection  
8           (e)(3) and a tentative plan for training all law  
9           enforcement officers employed by the unit of  
10          local government using available and antici-  
11          pated funds.

12          “(2) STATES.—A State receiving funds under  
13          this section shall submit to the Attorney General—

14               “(A) any report the State receives from a  
15               unit of local government under paragraph (1);  
16               and

17               “(B) if the State retains funds under sub-  
18               section (e)(2) for a fiscal year, a report by the  
19               State for that fiscal year, and each of the 2 fis-  
20               cal years thereafter—

21                       “(i) indicating the number of law en-  
22                       forcement officers employed by the State  
23                       that have completed an approved training  
24                       course, including an approved training  
25                       course provided on or before the date on

1 which the Attorney General begins certi-  
2 fying entities under section 1701(n)(2), the  
3 topics covered in those courses, and the  
4 number of officers who received training in  
5 each topic, including, at the election of the  
6 State, an approved training course using  
7 funds provided from a source other than  
8 the grants described under subsection (b);

9 “(ii) indicating the total number of  
10 law enforcement officers employed by the  
11 State;

12 “(iii) providing information gathered  
13 through—

14 “(I) pre-training and post-train-  
15 ing tests that assess relevant knowl-  
16 edge and skills covered in the training  
17 curricula, as specified in section  
18 1701(n)(1); and

19 “(II) follow-up evaluative assess-  
20 ments to determine the degree to  
21 which participants in the training  
22 apply, in their jobs, the knowledge  
23 and skills gained in the training;

1           ~~“(iv) discussing any barriers to pro-~~  
2           ~~viding training on the topics described in~~  
3           ~~section 1701(n)(1)(A); and~~

4           ~~“(v) indicating the amount of funding~~  
5           ~~retained by the State under subsection~~  
6           ~~(e)(2) and providing a tentative plan for~~  
7           ~~training all law enforcement officers em-~~  
8           ~~ployed by the State using available and an-~~  
9           ~~ticipated funds.~~

10           ~~“(3) REPORTING TOOLS.—Not later than 180~~  
11           ~~days after the date of enactment of this section, the~~  
12           ~~Attorney General shall develop a portal through~~  
13           ~~which the data required under paragraphs (1) and~~  
14           ~~(2) may be collected and submitted.~~

15           ~~“(4) REPORTS ON THE USE OF DE-ESCALATION~~  
16           ~~TACTICS AND OTHER TECHNIQUES.—~~

17           ~~“(A) IN GENERAL.—The Attorney General,~~  
18           ~~in consultation with the Director of the Federal~~  
19           ~~Bureau of Investigation, relevant law enforce-~~  
20           ~~ment agencies of States and units of local gov-~~  
21           ~~ernment, associations that represent individuals~~  
22           ~~with mental or behavioral health diagnoses or~~  
23           ~~individuals with disabilities, labor organizations,~~  
24           ~~professional law enforcement organizations,~~  
25           ~~local law enforcement labor and representative~~

1 organizations, law enforcement trade associa-  
2 tions, mental health and suicide prevention or-  
3 ganizations, family advocacy organizations, and  
4 civil liberties groups shall establish—

5 “(i) reporting requirements on inter-  
6 actions in which de-escalation tactics and  
7 other techniques in curricula developed or  
8 identified under section 1701(n)(1) are  
9 used by each law enforcement agency that  
10 receives funding under this section; and

11 “(ii) mechanisms for each law enforce-  
12 ment agency to submit such reports to the  
13 Department of Justice.

14 “(B) REPORTING REQUIREMENTS.—The  
15 requirements developed under subparagraph (A)  
16 shall—

17 “(i) specify—

18 “(I) the circumstances under  
19 which an interaction shall be reported;  
20 considering—

21 “(aa) the cost of collecting  
22 and reporting the information;  
23 and

1                   “(bb) the value of that infor-  
2                   mation for determining wheth-  
3                   er—

4                   “(AA) the objectives of  
5                   the training have been met;  
6                   and

7                   “(BB) the training re-  
8                   duced or eliminated the risk  
9                   of serious physical injury to  
10                  officers, subjects, and third  
11                  parties; and

12                  “(H) the biographical and other  
13                  relevant information about the officer  
14                  and subjects involved in the inter-  
15                  action that shall be included in such a  
16                  report; and

17                  “(ii) require such reporting be done in  
18                  a manner that—

19                         “(I) is in compliance with all ap-  
20                         plicable Federal and State confiden-  
21                         tiality laws; and

22                         “(H) does not disclose the identi-  
23                         ties of law enforcement officers, sub-  
24                         jects, or third parties.

1           “(C) REVIEW OF REPORTING REQUIRE-  
2           MENTS.—Not later than 2 years after the date  
3           of enactment of this section, and every 2 years  
4           thereafter, the Attorney General, in consulta-  
5           tion with the entities specified under subpara-  
6           graph (A), shall review and consider updates to  
7           the reporting requirements.

8           “(5) FAILURE TO REPORT.—

9           “(A) IN GENERAL.—An entity receiving  
10          funds under this section that fails to file a re-  
11          port as required under paragraph (1) or (2), as  
12          applicable and as determined by the Attorney  
13          General, shall not be eligible to receive funds  
14          under this section for a period of 2 fiscal years.

15          “(B) RULE OF CONSTRUCTION.—Nothing  
16          in subparagraph (A) shall be construed to pro-  
17          hibit a State that fails to file a report as re-  
18          quired under paragraph (2), and is not eligible  
19          to receive funds under this section, from mak-  
20          ing funding available to a unit of local govern-  
21          ment of the State under subsection (c)(3), if  
22          the unit of local government has complied with  
23          the reporting requirements.

24          “(e) ATTORNEY GENERAL REPORTS.—



1           “(1) IMPLEMENTATION REPORT.—Not later  
2 than 2 years after the date of enactment of this sec-  
3 tion, and each year thereafter in which grants are  
4 made under this section, the Attorney General shall  
5 submit a report to Congress on the implementation  
6 of activities carried out under this section.

7           “(2) CONTENTS.—Each report under para-  
8 graph (1) shall include, at a minimum, information  
9 on—

10                   “(A) the number, amounts, and recipients  
11 of awards the Attorney General has made or in-  
12 tends to make using funds authorized under  
13 this section;

14                   “(B) the selection criteria the Attorney  
15 General has used or intends to use to select re-  
16 cipients of awards using funds authorized under  
17 this section;

18                   “(C) the number of law enforcement offi-  
19 cers of a State or unit of local government who  
20 were not able to receive training on the topics  
21 described in section 1701(n)(1)(A) due to un-  
22 availability of funds and the amount of funds  
23 that would be required to complete the training;  
24 and

1           “(D) the nature, frequency, and amount of  
2           information that the Attorney General has col-  
3           lected or intends to collect under subsection (d).

4           “(3) PRIVACY PROTECTIONS.—A report under  
5           paragraph (1) shall not disclose the identities of in-  
6           dividual law enforcement officers who received, or  
7           did not receive, training under section 1701(n).

8           “(f) NATIONAL INSTITUTE OF JUSTICE STUDY.—

9           “(1) STUDY AND REPORT.—Not later than 2  
10          years after the first grant award using funds author-  
11          ized under this section, the National Institute of  
12          Justice shall conduct a study of the implementation  
13          of the training under section 1701(n) in at least 6  
14          jurisdictions representing an array of agency sizes  
15          and geographic locations, which shall include—

16               “(A) a process evaluation of training im-  
17               plementation, which shall include an analysis of  
18               the share of officers who participated in the  
19               training, the degree to which the training was  
20               administered in accordance with the curriculum,  
21               and the fidelity with which the training was ap-  
22               plied in the field; and

23               “(B) an impact evaluation of the training,  
24               which shall include an analysis of the impact of  
25               the training on interactions between law en-

1           forcement officers and the public; any factors  
2           that prevent or preclude law enforcement offi-  
3           cers from successfully de-escalating law enforce-  
4           ment interactions; and any recommendations on  
5           modifications to the training curricula and  
6           methods that could improve outcomes.

7           “(2) NATIONAL INSTITUTE OF JUSTICE ACCESS  
8           TO PORTAL.—For the purposes of preparing the re-  
9           port under paragraph (1), the National Institute of  
10          Justice shall have direct access to the portal devel-  
11          oped under subsection (d)(3).

12          “(3) PRIVACY PROTECTIONS.—The study under  
13          paragraph (1) shall not disclose the identities of in-  
14          dividual law enforcement officers who received, or  
15          did not receive, training under section 1701(n).

16          “(4) FUNDING.—Not more than 1 percent of  
17          the amount appropriated to carry out this section  
18          during any fiscal year shall be made available to  
19          conduct the study under paragraph (1).

20          “(g) GAO REPORT.—

21          “(1) STUDY AND REPORT.—Not later than 3  
22          years after the first grant award using funds author-  
23          ized under this section, the Comptroller General of  
24          the United States shall review the grant program

1 under this section and submit to Congress a report  
2 assessing the grant program, including—

3 “(A) the process for developing and identi-  
4 fying curricula under section 1701(n)(1), in-  
5 cluding the effectiveness of the consultation by  
6 the Attorney General with the agencies, associa-  
7 tions, and organizations identified under section  
8 1701(n)(1)(C);

9 “(B) the certification of programs under  
10 section 1701(n)(2), including the development  
11 of the process for certification and its imple-  
12 mentation;

13 “(C) the training of law enforcement per-  
14 sonnel under section 1701(n)(3), including the  
15 geographic distribution of the agencies that em-  
16 ploy the personnel receiving the training and  
17 the sizes of those agencies;

18 “(D) the allocation of funds under sub-  
19 section (e), including the geographic distribu-  
20 tion of the agencies that receive funds and the  
21 degree to which both large and small agencies  
22 receive funds; and

23 “(E) the amount of funding distributed to  
24 agencies compared with the amount appro-  
25 priated under this section, the amount spent for

1 training, and whether plans have been put in  
 2 place by the recipient agencies to use unspent  
 3 available funds.

4 “~~(2) GAO ACCESS TO PORTAL.~~—For the pur-  
 5 poses of preparing the report under paragraph (1),  
 6 the Comptroller General of the United States shall  
 7 have direct access to the portal developed under sub-  
 8 section ~~(d)(3)~~.”

9 “~~(h) AUTHORIZATION OF APPROPRIATIONS.~~—There  
 10 is authorized to be appropriated to carry out this section  
 11 \$70,000,000 for each of fiscal years 2022 through 2026.”.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Law Enforcement De-*  
 14 *Escalation Training Act of 2022”.*

15 **SEC. 2. TRAINING ON ALTERNATIVES TO USE OF FORCE,**  
 16 **DE-ESCALATION, AND MENTAL AND BEHAV-**  
 17 **IORAL HEALTH CRISES.**

18 *(a) DEFINITIONS.—Section 901(a) of title I of the Om-*  
 19 *nibus Crime Control and Safe Streets Act of 1968 (34*  
 20 *U.S.C. 10251(a)) is amended—*

21 *(1) in paragraph (27), by striking “and” at the*  
 22 *end;*

23 *(2) in paragraph (28), by striking the period at*  
 24 *the end and inserting a semicolon; and*

25 *(3) by adding at the end the following:*

1           “(29) the term ‘de-escalation’ means taking ac-  
 2           tion or communicating verbally or non-verbally dur-  
 3           ing a potential force encounter in an attempt to sta-  
 4           bilize the situation and reduce the immediacy of the  
 5           threat so that more time, options, and resources can  
 6           be called upon to resolve the situation without the use  
 7           of force or with a reduction in the force necessary;

8           “(30) the term ‘mental or behavioral health or  
 9           suicidal crisis’—

10           “(A) means a situation in which the behav-  
 11           ior of a person—

12           “(i) puts the person at risk of hurting  
 13           himself or herself or others; or

14           “(ii) impairs or prevents the person  
 15           from being able to care for himself or herself  
 16           or function effectively in the community;  
 17           and

18           “(B) includes a situation in which a per-  
 19           son—

20           “(i) is under the influence of a drug or  
 21           alcohol, is suicidal, or experiences symptoms  
 22           of a mental illness; or

23           “(ii) may exhibit symptoms, including  
 24           emotional reactions (such as fear or anger),  
 25           psychological impairments (such as inabil-

1                    *ity to focus, confusion, or psychosis), and*  
2                    *behavioral reactions (such as the trigger of*  
3                    *a freeze, fight, or flight response);*

4                    *“(31) the term ‘disability’ has the meaning given*  
5                    *that term in section 3 of the Americans with Disabil-*  
6                    *ities Act of 1990 (42 U.S.C. 12102);*

7                    *“(32) the term ‘crisis intervention team’ means*  
8                    *a collaborative, interdisciplinary team that brings to-*  
9                    *gether specially trained law enforcement officers, men-*  
10                    *tal health providers, and other community stake-*  
11                    *holders to respond to mental health-related calls, use*  
12                    *appropriate de-escalation techniques, and assess if re-*  
13                    *ferral to services or transport for mental health eval-*  
14                    *uation is appropriate; and*

15                    *“(33) the term ‘covered mental health profes-*  
16                    *sional’ means a mental health professional working*  
17                    *on a crisis intervention team—*

18                    *“(A) as an employee of a law enforcement*  
19                    *agency; or*

20                    *“(B) under a legal agreement with a law*  
21                    *enforcement agency.”.*

22                    *(b) COPS PROGRAM.—Section 1701 of title I of the*  
23                    *Omnibus Crime Control and Safe Streets Act of 1968 (34*  
24                    *U.S.C. 10381) is amended by adding at the end the fol-*  
25                    *lowing:*

1           “(n) *TRAINING IN ALTERNATIVES TO USE OF FORCE,*  
2 *DE-ESCALATION TECHNIQUES, AND MENTAL AND BEHAV-*  
3 *IORAL HEALTH CRISES.*—

4           “(1) *TRAINING CURRICULA.*—

5                   “(A) *IN GENERAL.*—*Not later than 180*  
6 *days after the date of enactment of this sub-*  
7 *section, the Attorney General shall develop train-*  
8 *ing curricula or identify effective existing train-*  
9 *ing curricula for law enforcement officers and for*  
10 *covered mental health professionals regarding—*

11                           “(i) *de-escalation tactics and alter-*  
12 *natives to use of force;*

13                           “(ii) *safely responding to an indi-*  
14 *vidual experiencing a mental or behavioral*  
15 *health or suicidal crisis or an individual*  
16 *with a disability, including techniques and*  
17 *strategies that are designed to protect the*  
18 *safety of that individual, law enforcement*  
19 *officers, mental health professionals, and the*  
20 *public;*

21                           “(iii) *successfully participating on a*  
22 *crisis intervention team; and*

23                           “(iv) *making referrals to community-*  
24 *based mental and behavioral health services*  
25 *and support, housing assistance programs,*



1                   *public benefits programs, the National Sui-*  
2                   *cide Prevention Lifeline, and other services.*

3                   “(B) *REQUIREMENTS.—The training cur-*  
4                   *ricula developed or identified under this para-*  
5                   *graph shall include—*

6                             “(i) *scenario-based exercises;*

7                             “(ii) *pre-training and post-training*  
8                   *tests to assess relevant knowledge and skills*  
9                   *covered in the training curricula; and*

10                            “(iii) *follow-up evaluative assessments*  
11                   *to determine the degree to which partici-*  
12                   *pants in the training apply, in their jobs,*  
13                   *the knowledge and skills gained in the*  
14                   *training.*

15                   “(C) *CONSULTATION.—The Attorney Gen-*  
16                   *eral shall develop and identify training cur-*  
17                   *ricula under this paragraph in consultation with*  
18                   *relevant law enforcement agencies of States and*  
19                   *units of local government, associations that rep-*  
20                   *resent individuals with mental or behavioral*  
21                   *health diagnoses or individuals with disabilities,*  
22                   *labor organizations, professional law enforcement*  
23                   *organizations, local law enforcement labor and*  
24                   *representative organizations, law enforcement*  
25                   *trade associations, mental health and suicide*

1           *prevention organizations, family advocacy orga-*  
2           *nizations, and civil rights and civil liberties*  
3           *groups.*

4           “(2) *CERTIFIED PROGRAMS AND COURSES.—*

5                 “(A) *IN GENERAL.—Not later than 180*  
6                 *days after the date on which training curricula*  
7                 *are developed or identified under paragraph*  
8                 *(1)(A), the Attorney General shall establish a*  
9                 *process to—*

10                         “(i) *certify training programs and*  
11                         *courses offered by public and private enti-*  
12                         *ties to law enforcement officers or covered*  
13                         *mental health professionals using 1 or more*  
14                         *of the training curricula developed or iden-*  
15                         *tified under paragraph (1), or equivalents*  
16                         *to such training curricula, which may in-*  
17                         *clude certifying a training program or*  
18                         *course that an entity began offering on or*  
19                         *before the date on which the Attorney Gen-*  
20                         *eral establishes the process; and*

21                         “(ii) *terminate the certification of a*  
22                         *training program or course if the program*  
23                         *or course fails to continue to meet the*  
24                         *standards under the training curricula de-*  
25                         *veloped or identified under paragraph (1).*

1           “(B) *PARTNERSHIPS WITH MENTAL HEALTH*  
2           *ORGANIZATIONS AND EDUCATIONAL INSTITU-*  
3           *TIONS.—Not later than 180 days after the date*  
4           *on which training curricula are developed or*  
5           *identified under paragraph (1)(A), the Attorney*  
6           *General shall develop criteria to ensure that pub-*  
7           *lic and private entities that offer training pro-*  
8           *grams or courses that are certified under sub-*  
9           *paragraph (A) collaborate with local mental*  
10           *health organizations to—*

11                   “(i) *enhance the training experience of*  
12                   *law enforcement officers through consulta-*  
13                   *tion with and the participation of individ-*  
14                   *uals with mental or behavioral health diag-*  
15                   *nozes or disabilities, particularly such indi-*  
16                   *viduals who have interacted with law en-*  
17                   *forcement officers; and*

18                   “(ii) *strengthen relationships between*  
19                   *health care services and law enforcement*  
20                   *agencies.*

21           “(3) *TRANSITIONAL REGIONAL TRAINING PRO-*  
22           *GRAMS FOR STATE AND LOCAL AGENCY PERSONNEL.—*

23                   “(A) *IN GENERAL.—During the period be-*  
24                   *ginning on the date on which the Attorney Gen-*  
25                   *eral establishes the process required under para-*

1           *graph (2)(A) and ending on the date that is 18*  
2           *months after that date, the Attorney General*  
3           *shall, and thereafter the Attorney General may,*  
4           *provide, in collaboration with law enforcement*  
5           *training academies of States and units of local*  
6           *government as appropriate, regional training to*  
7           *equip personnel from law enforcement agencies of*  
8           *States and units of local government in a State*  
9           *to offer training programs or courses certified*  
10          *under paragraph (2)(A).*

11           “(B) *CONTINUING EDUCATION.*—*The Attor-*  
12          *ney General shall develop and implement con-*  
13          *tinuing education requirements for personnel*  
14          *from law enforcement agencies of States and*  
15          *units of local government who receive training to*  
16          *offer training programs or courses under sub-*  
17          *paragraph (A).*

18           “(4) *LIST.*—*Not later than 1 year after the At-*  
19          *torney General completes the activities described in*  
20          *paragraphs (1) and (2), the Attorney General shall*  
21          *publish a list of law enforcement agencies of States*  
22          *and units of local government employing law enforce-*  
23          *ment officers or using covered mental health profes-*  
24          *sionals who have successfully completed a course*  
25          *using 1 or more of the training curricula developed*

1       or identified under paragraph (1), or equivalents to  
2       such training curricula, which shall include—

3               “(A) the total number of law enforcement  
4               officers that are employed by the agency;

5               “(B) the number of such law enforcement of-  
6               ficers who have completed such a course;

7               “(C) whether personnel from the law en-  
8               forcement agency have been trained to offer  
9               training programs or courses under paragraph  
10              (3);

11              “(D) the total number of covered mental  
12              health professionals who work with the agency;  
13              and

14              “(E) the number of such covered mental  
15              health professionals who have completed such a  
16              course.

17              “(5) *AUTHORIZATION OF APPROPRIATIONS.*—

18       *There is authorized to be appropriated to carry out*  
19       *this subsection—*

20              “(A) \$3,000,000 for fiscal year 2023;

21              “(B) \$20,000,000 for fiscal year 2024;

22              “(C) \$10,000,000 for fiscal year 2025; and

23              “(D) \$1,000,000 for fiscal year 2026.”.

1           (c) *BYRNE JAG PROGRAM.*—Subpart 1 of part E of  
2 *title I of the Omnibus Crime Control and Safe Streets Act*  
3 *of 1968 (34 U.S.C. 10151 et seq.) is amended—*

4           (1) *by redesignating section 508 as section 509;*  
5           *and*

6           (2) *by inserting after section 507 the following:*

7           **“SEC. 508. LAW ENFORCEMENT TRAINING PROGRAMS.**

8           “(a) *DEFINITION.*—*In this section, the term ‘certified*  
9 *training program or course’ means a program or course*  
10 *using 1 or more of the training curricula developed or iden-*  
11 *tified under section 1701(n)(1), or equivalents to such*  
12 *training curricula—*

13           “(1) *that is provided by the Attorney General*  
14 *under section 1701(n)(3); or*

15           “(2) *that is—*

16           “(A) *provided by a public or private entity,*  
17 *including the personnel of a law enforcement*  
18 *agency or law enforcement training academy of*  
19 *a State or unit of local government who have*  
20 *been trained to offer training programs or*  
21 *courses under section 1701(n)(3); and*

22           “(B) *certified by the Attorney General*  
23 *under section 1701(n)(2).*

24           “(b) *AUTHORITY.*—

1           “(1) *IN GENERAL.*—Not later than 90 days after  
2           the Attorney General completes the activities required  
3           by paragraphs (1) and (2) of section 1701(n), the At-  
4           torney General shall, from amounts made available to  
5           fund training programs pursuant to subsection (h),  
6           make grants to States for use by the State or a unit  
7           of government located in the State to—

8                   “(A) pay for—

9                           “(i) costs associated with conducting a  
10                           certified training program or course or,  
11                           subject to paragraph (2), a certified train-  
12                           ing program or course that provides con-  
13                           tinuing education; and

14                           “(ii) attendance by law enforcement of-  
15                           ficers or covered mental health professionals  
16                           at a certified training program or course,  
17                           including a course provided by a law en-  
18                           forcement training academy of a State or  
19                           unit of local government;

20                   “(B) procure a certified training program  
21                   or course or, subject to paragraph (2), a certified  
22                   training program or course that provides con-  
23                   tinuing education on 1 or more of the topics de-  
24                   scribed in section 1701(n)(1)(A);

1           “(C) *in the case of a law enforcement agen-*  
 2           *cy of a unit of local government that employs*  
 3           *fewer than 50 employees (determined on a full-*  
 4           *time equivalent basis), pay for the costs of over-*  
 5           *time accrued as a result of the attendance of a*  
 6           *law enforcement officer or covered mental health*  
 7           *professional at a certified training program or*  
 8           *course for which the costs associated with con-*  
 9           *ducting the certified training program or course*  
 10           *are paid using amounts provided under this sec-*  
 11           *tion; and*

12           “(D) *pay for the costs of developing mecha-*  
 13           *nisms to comply with the reporting requirements*  
 14           *established under subsection (d), in an amount*  
 15           *not to exceed 5 percent of the total amount of the*  
 16           *grant award.*

17           “(2) *REQUIREMENTS FOR USE FOR CONTINUING*  
 18           *EDUCATION.—*

19           “(A) *DEFINITION.—In this paragraph, the*  
 20           *term ‘covered topic’ means a topic covered under*  
 21           *the curricula developed or identified under clause*  
 22           *(i), (ii), or (iv) of section 1701(n)(1)(A).*

23           “(B) *REQUIREMENT TO PROVIDE INITIAL*  
 24           *TRAINING.—A State or unit of local government*  
 25           *shall ensure that all officers who have been em-*



1           *ployed with the State or unit of local government*  
2           *for at least 2 years have received training as*  
3           *part of a certified training program or course on*  
4           *all covered topics before the State or unit of local*  
5           *government uses amounts received under a grant*  
6           *under paragraph (1) for continuing education*  
7           *with respect to any covered topic.*

8           “(C) *START DATE OF AVAILABILITY OF*  
9           *FUNDING.—*

10           “(i) *IN GENERAL.—Subject to clause*  
11           *(ii), a State or unit of local government*  
12           *may not use amounts received under a*  
13           *grant under paragraph (1) for continuing*  
14           *education with respect to a covered topic*  
15           *until the date that is 2 years after the date*  
16           *of enactment of the Law Enforcement De-*  
17           *Escalation Training Act of 2022.*

18           “(ii) *EXCEPTION.—A State or unit of*  
19           *local government may use amounts received*  
20           *under a grant under paragraph (1) for con-*  
21           *tinuing education with respect to a covered*  
22           *topic during the 2-year period beginning on*  
23           *the date of enactment of the Law Enforce-*  
24           *ment De-Escalation Training Act of 2022 if*  
25           *the State or unit of local government has*

1           *complied with subparagraph (B) using*  
2           *amounts available to the State or unit of*  
3           *local government other than amounts re-*  
4           *ceived under a grant under paragraph (1).*

5           “(3) *MAINTAINING RELATIONSHIPS WITH LOCAL*  
6           *MENTAL HEALTH ORGANIZATIONS.—A State or unit*  
7           *of local government that receives funds under this sec-*  
8           *tion shall establish and maintain relationships be-*  
9           *tween law enforcement officers and local mental*  
10          *health organizations and health care services.*

11          “(c) *ALLOCATION OF FUNDS.—*

12           “(1) *IN GENERAL.—Of the total amount appro-*  
13          *priated to carry out this section for a fiscal year, the*  
14          *Attorney General shall allocate funds to each State in*  
15          *proportion to the total number of law enforcement of-*  
16          *ficers in the State that are employed by the State or*  
17          *a unit of local government within the State, as com-*  
18          *pared to the total number of law enforcement officers*  
19          *in the United States.*

20           “(2) *RETENTION OF FUNDS FOR TRAINING FOR*  
21          *STATE LAW ENFORCEMENT OFFICERS PROPORTIONAL*  
22          *TO NUMBER OF STATE OFFICERS.—Each fiscal year,*  
23          *each State may retain, for use for the purposes de-*  
24          *scribed in this section, from the total amount of funds*  
25          *provided to the State under paragraph (1) an amount*

1 *that is not more than the amount that bears the same*  
 2 *ratio to such total amount as the ratio of—*

3 *“(A) the total number of law enforcement*  
 4 *officers employed by the State; to*

5 *“(B) the total number of law enforcement*  
 6 *officers in the State that are employed by the*  
 7 *State or a unit of local government within the*  
 8 *State.*

9 *“(3) PROVISION OF FUNDS FOR TRAINING FOR*  
 10 *LOCAL LAW ENFORCEMENT OFFICERS.—*

11 *“(A) IN GENERAL.—A State shall make*  
 12 *available to units of local government in the*  
 13 *State for the purposes described in this section*  
 14 *the amounts remaining after a State retains*  
 15 *funds under paragraph (2).*

16 *“(B) ADDITIONAL USES.—A State may,*  
 17 *with the approval of a unit of local government,*  
 18 *use the funds allocated to the unit of local gov-*  
 19 *ernment under subparagraph (A)—*

20 *“(i) to facilitate offering a certified*  
 21 *training program or course or, subject to*  
 22 *subsection (b)(2), a certified training pro-*  
 23 *gram or course that provide continuing edu-*  
 24 *cation in 1 or more of the topics described*  
 25 *in section 1701(n)(1)(A) to law enforcement*

1           *officers employed by the unit of local gov-*  
2           *ernment; or*

3           “(ii) *for the costs of training local law*  
4           *enforcement officers, including through law*  
5           *enforcement training academies of States*  
6           *and units of local government, to conduct a*  
7           *certified training program or course.*

8           “(C) *CONSULTATION.—The Attorney Gen-*  
9           *eral, in consultation with relevant law enforce-*  
10           *ment agencies of States and units of local gov-*  
11           *ernment, associations that represent individuals*  
12           *with mental or behavioral health diagnoses or*  
13           *individuals with disabilities, labor organiza-*  
14           *tions, professional law enforcement organiza-*  
15           *tions, local law enforcement labor and represent-*  
16           *ative organizations, law enforcement trade asso-*  
17           *ciations, mental health and suicide prevention*  
18           *organizations, family advocacy organizations,*  
19           *and civil rights and civil liberties groups, shall*  
20           *develop criteria governing the allocation of funds*  
21           *to units of local government under this para-*  
22           *graph, which shall ensure that the funds are dis-*  
23           *tributed as widely as practicable in terms of geo-*  
24           *graphical location and to both large and small*

1           *law enforcement agencies of units of local govern-*  
2           *ment.*

3           “(D) *ANNOUNCEMENT OF ALLOCATIONS.*—  
4           *Not later than 30 days after the date on which*  
5           *a State receives an award under paragraph (1),*  
6           *the State shall announce the allocations of funds*  
7           *to units of local government under subparagraph*  
8           *(A). A State shall submit to the Attorney Gen-*  
9           *eral a report explaining any delays in the an-*  
10           *nouncement of allocations under this subpara-*  
11           *graph.*

12           “(d) *REPORTING.*—

13           “(1) *UNITS OF LOCAL GOVERNMENT.*—*Any unit*  
14           *of local government that receives funds from a State*  
15           *under subsection (c)(3) for a certified training pro-*  
16           *gram or course shall submit to the State or the Attor-*  
17           *ney General an annual report with respect to the first*  
18           *fiscal year during which the unit of local government*  
19           *receives such funds and each of the 2 fiscal years*  
20           *thereafter that—*

21           “(A) *shall include the number of law en-*  
22           *forcement officers employed by the unit of local*  
23           *government that have completed a certified*  
24           *training program or course, including a certified*  
25           *training program or course provided on or before*

1           *the date on which the Attorney General begins*  
2           *certifying training programs and courses under*  
3           *section 1701(n)(2), the topics covered in those*  
4           *courses, and the number of officers who received*  
5           *training in each topic;*

6           “(B) may, at the election of the unit of local  
7           government, include the number of law enforce-  
8           ment officers employed by the unit of local gov-  
9           ernment that have completed a certified training  
10          program or course using funds provided from a  
11          source other than the grants described under sub-  
12          section (b), the topics covered in those courses,  
13          and the number of officers who received training  
14          in each topic;

15          “(C) shall include the total number of law  
16          enforcement officers employed by the unit of local  
17          government;

18          “(D) shall include a description of any bar-  
19          riers to providing training on the topics de-  
20          scribed in section 1701(n)(1)(A);

21          “(E) shall include information gathered  
22          through—

23                  “(i) pre-training and post-training  
24                  tests that assess relevant knowledge and

1           *skills covered in the training curricula, as*  
2           *specified in section 1701(n)(1); and*

3           “(ii) *follow-up evaluative assessments*  
4           *to determine the degree to which partici-*  
5           *pants in the training apply, in their jobs,*  
6           *the knowledge and skills gained in the*  
7           *training; and*

8           “(F) *shall include the amount of funds re-*  
9           *ceived by the unit of local government under sub-*  
10          *section (c)(3) and a tentative plan for training*  
11          *all law enforcement officers employed by the unit*  
12          *of local government using available and antici-*  
13          *pated funds.*

14          “(2) *STATES.—A State receiving funds under*  
15          *this section shall submit to the Attorney General—*

16               “(A) *any report the State receives from a*  
17               *unit of local government under paragraph (1);*  
18               *and*

19               “(B) *if the State retains funds under sub-*  
20               *section (c)(2) for a fiscal year, a report by the*  
21               *State for that fiscal year, and each of the 2 fiscal*  
22               *years thereafter—*

23                       “(i) *indicating the number of law en-*  
24                       *forcement officers employed by the State*  
25                       *that have completed a certified training*

1            *program or course, including a certified*  
2            *training program or course provided on or*  
3            *before the date on which the Attorney Gen-*  
4            *eral begins certifying training programs or*  
5            *courses under section 1701(n)(2), the topics*  
6            *covered in those courses, and the number of*  
7            *officers who received training in each topic,*  
8            *including, at the election of the State, a cer-*  
9            *tified training program or course using*  
10           *funds provided from a source other than the*  
11           *grants described under subsection (b);*

12           *“(ii) indicating the total number of*  
13           *law enforcement officers employed by the*  
14           *State;*

15           *“(iii) providing information gathered*  
16           *through—*

17           *“(I) pre-training and post-train-*  
18           *ing tests that assess relevant knowledge*  
19           *and skills covered in the training cur-*  
20           *ricula, as specified in section*  
21           *1701(n)(1); and*

22           *“(II) follow-up evaluative assess-*  
23           *ments to determine the degree to which*  
24           *participants in the training apply, in*



1                    *their jobs, the knowledge and skills*  
2                    *gained in the training;*

3                    *“(iv) discussing any barriers to pro-*  
4                    *viding training on the topics described in*  
5                    *section 1701(n)(1)(A); and*

6                    *“(v) indicating the amount of funding*  
7                    *retained by the State under subsection*  
8                    *(c)(2) and providing a tentative plan for*  
9                    *training all law enforcement officers em-*  
10                    *ployed by the State using available and an-*  
11                    *ticipated funds.*

12                    *“(3) REPORTING TOOLS.—Not later than 180*  
13                    *days after the date of enactment of this section, the*  
14                    *Attorney General shall develop a portal through which*  
15                    *the data required under paragraphs (1) and (2) may*  
16                    *be collected and submitted.*

17                    *“(4) REPORTS ON THE USE OF DE-ESCALATION*  
18                    *TACTICS AND OTHER TECHNIQUES.—*

19                    *“(A) IN GENERAL.—The Attorney General,*  
20                    *in consultation with the Director of the Federal*  
21                    *Bureau of Investigation, relevant law enforce-*  
22                    *ment agencies of States and units of local gov-*  
23                    *ernment, associations that represent individuals*  
24                    *with mental or behavioral health diagnoses or*  
25                    *individuals with disabilities, labor organiza-*

1           *tions, professional law enforcement organiza-*  
2           *tions, local law enforcement labor and represent-*  
3           *ative organizations, law enforcement trade asso-*  
4           *ciations, mental health and suicide prevention*  
5           *organizations, family advocacy organizations,*  
6           *and civil rights and civil liberties groups, shall*  
7           *establish—*

8                     “(i) *reporting requirements on inter-*  
9                     *actions in which de-escalation tactics and*  
10                    *other techniques in curricula developed or*  
11                    *identified under section 1701(n)(1) are used*  
12                    *by each law enforcement agency that re-*  
13                    *ceives funding under this section; and*

14                    “(ii) *mechanisms for each law enforce-*  
15                    *ment agency to submit such reports to the*  
16                    *Department of Justice.*

17                    “(B) *REPORTING REQUIREMENTS.—The re-*  
18                    *quirements developed under subparagraph (A)*  
19                    *shall—*

20                    “(i) *specify—*

21                    “(I) *the circumstances under*  
22                    *which an interaction shall be reported,*  
23                    *considering—*

1                   “(aa) the cost of collecting  
2                   and reporting the information;  
3                   and

4                   “(bb) the value of that infor-  
5                   mation for determining whether—

6                   “(AA) the objectives of  
7                   the training have been met;  
8                   and

9                   “(BB) the training re-  
10                  duced or eliminated the risk  
11                  of serious physical injury to  
12                  officers, subjects, and third  
13                  parties; and

14                  “(II) the demographic and other  
15                  relevant information about the officer  
16                  and subjects involved in the interaction  
17                  that shall be included in such a report;  
18                  and

19                  “(ii) require such reporting be done in  
20                  a manner that—

21                  “(I) is in compliance with all ap-  
22                  plicable Federal and State confiden-  
23                  tiality laws; and

1                   “(II) does not disclose the identi-  
2                   ties of law enforcement officers, sub-  
3                   jects, or third parties.

4                   “(C) *REVIEW OF REPORTING REQUIRE-*  
5                   *MENTS.—Not later than 2 years after the date of*  
6                   *enactment of this section, and every 2 years*  
7                   *thereafter, the Attorney General, in consultation*  
8                   *with the entities specified under subparagraph*  
9                   *(A), shall review and consider updates to the re-*  
10                  *porting requirements.*

11                  “(5) *FAILURE TO REPORT.—*

12                  “(A) *IN GENERAL.—An entity receiving*  
13                  *funds under this section that fails to file a report*  
14                  *as required under paragraph (1) or (2), as ap-*  
15                  *licable and as determined by the Attorney Gen-*  
16                  *eral, shall not be eligible to receive funds under*  
17                  *this section for a period of 2 fiscal years.*

18                  “(B) *RULE OF CONSTRUCTION.—Nothing in*  
19                  *subparagraph (A) shall be construed to prohibit*  
20                  *a State that fails to file a report as required*  
21                  *under paragraph (2), and is not eligible to re-*  
22                  *ceive funds under this section, from making*  
23                  *funding available to a unit of local government*  
24                  *of the State under subsection (c)(3), if the unit*

1           *of local government has complied with the re-*  
2           *porting requirements.*

3           “(e) *ATTORNEY GENERAL REPORTS.*—

4           “(1) *IMPLEMENTATION REPORT.*—*Not later than*  
5           *2 years after the date of enactment of this section,*  
6           *and each year thereafter in which grants are made*  
7           *under this section, the Attorney General shall submit*  
8           *a report to Congress on the implementation of activi-*  
9           *ties carried out under this section.*

10           “(2) *CONTENTS.*—*Each report under paragraph*  
11           *(1) shall include, at a minimum, information on—*

12           “(A) *the number, amounts, and recipients*  
13           *of awards the Attorney General has made or in-*  
14           *tends to make using funds authorized under this*  
15           *section;*

16           “(B) *the selection criteria the Attorney Gen-*  
17           *eral has used or intends to use to select recipients*  
18           *of awards using funds authorized under this sec-*  
19           *tion;*

20           “(C) *the number of law enforcement officers*  
21           *of a State or unit of local government who were*  
22           *not able to receive training on the topics de-*  
23           *scribed in section 1701(n)(1)(A) due to unavail-*  
24           *ability of funds and the amount of funds that*  
25           *would be required to complete the training; and*

1           “(D) the nature, frequency, and amount of  
2           information that the Attorney General has col-  
3           lected or intends to collect under subsection (d).

4           “(3) *PRIVACY PROTECTIONS.*—A report under  
5           paragraph (1) shall not disclose the identities of indi-  
6           vidual law enforcement officers who received, or did  
7           not receive, training under a certified training pro-  
8           gram or course.

9           “(f) *NATIONAL INSTITUTE OF JUSTICE STUDY.*—

10           “(1) *STUDY AND REPORT.*—Not later than 2  
11           years after the first grant award using funds author-  
12           ized under this section, the National Institute of Jus-  
13           tice shall conduct a study of the implementation of  
14           training under a certified training program or course  
15           in at least 6 jurisdictions representing an array of  
16           agency sizes and geographic locations, which shall in-  
17           clude—

18           “(A) a process evaluation of training imple-  
19           mentation, which shall include an analysis of the  
20           share of officers who participated in the train-  
21           ing, the degree to which the training was admin-  
22           istered in accordance with the curriculum, and  
23           the fidelity with which the training was applied  
24           in the field; and

1           “(B) an impact evaluation of the training,  
2           which shall include an analysis of the impact of  
3           the training on interactions between law enforce-  
4           ment officers and the public, any factors that  
5           prevent or preclude law enforcement officers from  
6           successfully de-escalating law enforcement inter-  
7           actions, and any recommendations on modifica-  
8           tions to the training curricula and methods that  
9           could improve outcomes.

10           “(2) NATIONAL INSTITUTE OF JUSTICE ACCESS  
11           TO PORTAL.—For the purposes of preparing the re-  
12           port under paragraph (1), the National Institute of  
13           Justice shall have direct access to the portal developed  
14           under subsection (d)(3).

15           “(3) PRIVACY PROTECTIONS.—The study under  
16           paragraph (1) shall not disclose the identities of indi-  
17           vidual law enforcement officers who received, or did  
18           not receive, training under a certified training pro-  
19           gram or course.

20           “(4) FUNDING.—Not more than 1 percent of the  
21           amount appropriated to carry out this section during  
22           any fiscal year shall be made available to conduct the  
23           study under paragraph (1).

24           “(g) GAO REPORT.—

1           “(1) *STUDY AND REPORT.*—Not later than 3  
2           *years after the first grant award using funds author-*  
3           *ized under this section, the Comptroller General of the*  
4           *United States shall review the grant program under*  
5           *this section and submit to Congress a report assessing*  
6           *the grant program, including—*

7                   “(A) *the process for developing and identi-*  
8                   *fying curricula under section 1701(n)(1), includ-*  
9                   *ing the effectiveness of the consultation by the At-*  
10                  *torney General with the agencies, associations,*  
11                  *and organizations identified under section*  
12                  *1701(n)(1)(C);*

13                  “(B) *the certification of training programs*  
14                  *and courses under section 1701(n)(2), including*  
15                  *the development of the process for certification*  
16                  *and its implementation;*

17                  “(C) *the training of law enforcement per-*  
18                  *sonnel under section 1701(n)(3), including the*  
19                  *geographic distribution of the agencies that em-*  
20                  *ploy the personnel receiving the training and the*  
21                  *sizes of those agencies;*

22                  “(D) *the allocation of funds under sub-*  
23                  *section (c), including the geographic distribution*  
24                  *of the agencies that receive funds and the degree*



1           to which both large and small agencies receive  
2           funds; and

3           “(E) the amount of funding distributed to  
4           agencies compared with the amount appro-  
5           priated under this section, the amount spent for  
6           training, and whether plans have been put in  
7           place by the recipient agencies to use unspent  
8           available funds.

9           “(2) GAO ACCESS TO PORTAL.—For the purposes  
10          of preparing the report under paragraph (1), the  
11          Comptroller General of the United States shall have  
12          direct access to the portal developed under subsection  
13          (d)(3).

14          “(h) AUTHORIZATION OF APPROPRIATIONS.—There is  
15          authorized to be appropriated to carry out this section—

16                 “(1) \$40,000,000 for fiscal year 2025; and

17                 “(2) \$50,000,000 for fiscal year 2026.”.

Calendar No. 422

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 4003**

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**A BILL**

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises.

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JUNE 14, 2022

Reported with an amendment