

# Community Oriented Policing Services (COPS): In Brief

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## Summary

The Community Oriented Policing Services (COPS) program was created by Title I of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322). The mission of the COPS program is to advance community policing in jurisdictions across the United States. The Violence Against Women and Department of Justice Reauthorization Act of 2005 (P.L. 109-162) reauthorized the COPS program for FY2006-FY2009 and changed it from a multi-grant program to a single-grant program. Even though the COPS grant program is not currently authorized, Congress has continued to appropriate funding for it.

Between FY1995 and 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 Congress's and the Clinton Administration's efforts to place 100,000 new law enforcement officers on the street. After the initial push to fund 100,000 new law enforcement officers through COPS grants, Congress moved away from providing funding for hiring new law enforcement officers and changed COPS into a conduit for providing federal assistance to support local law enforcement agencies. Decreasing appropriations for hiring programs resulted in decreased funding for the COPS program overall. Appropriations for hiring programs were almost non-existent from FY2005 to FY2008, but for FY2009 Congress provided \$1 billion for hiring programs under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). Appropriations for hiring programs for FY2009-FY2012 were the result of Congress's efforts to help local law enforcement agencies facing budget shortages as a result of the recession either hire new law enforcement officers or retain officers they might have to lay off. Congress has continued to provide appropriations for hiring programs even though the effects of the recession have waned over the past few fiscal years.

There are several issues policymakers might consider if they take up legislation to reauthorize or fund the COPS program. One potential policy question is whether the federal government should continue to provide grants to state and local law enforcement agencies to hire additional officers at a time of historically low crime rates. Policymakers might also consider whether Congress should appropriate funding for the COPS program so that law enforcement agencies could take advantage of the current single grant program authorization, or if Congress should continue to appropriate funding for individual programs under the COPS account.

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The Community Oriented Policing Services (COPS) program was created by Title I of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322, “the 1994 Crime Act”). The mission of the COPS program is to advance community policing in all jurisdictions across the United States.<sup>1</sup> The COPS program awards grants to state, local, and tribal law enforcement agencies to advance the practice of community policing.<sup>2</sup> COPS grants are managed by the COPS Office, which was created in 1994 by Department of Justice (DOJ) to oversee the COPS program.

## A Brief Legislative History

Under the initial authorization for the COPS program, 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 1994 Crime Act authorized funding for the COPS program through FY2000 (see **Table A-1** for authorized appropriations).

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 for FY2006-FY2009 (see **Table A-1**). When Congress reauthorized the COPS program it changed from a multi-grant program to a single grant program under which state or local law enforcement agencies are eligible to apply for a “COPS grant.” These grants could be used for a variety of purposes, including hiring or re-hiring community policing officers;<sup>3</sup> procuring equipment, technology, or support systems; or establishing school-based partnerships between local law enforcement agencies and local school systems.<sup>4</sup>

## 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 Congress’s and the Clinton Administration’s efforts to place 100,000 new law enforcement officers on the street.

After the initial push to fund 100,000 new law enforcement officers through COPS grants, Congress moved away from providing funding for hiring law enforcement officers and changed COPS into a conduit for providing federal assistance to support local law enforcement agencies. 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

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<sup>1</sup> While there are different definitions of “community policing” the COPS Office defines “community policing” as “a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.” U.S. Department of Justice, Community Oriented Policing Services Office, *Community Policing Defined*, p. 3, this document is on file with the author.

<sup>2</sup> U.S. Department of Justice, Community Oriented Policing Services Office, *About Community Oriented Policing Services Office*, <http://www.cops.usdoj.gov/Default.asp?Item=35>.

<sup>3</sup> Even though current law states that law enforcement agencies that receive a COPS grant could use the funding for hiring or re-hiring law enforcement officers, the authority for the Attorney General to make grants for hiring or re-hiring law enforcement officer ended on September 13, 2000 (42 U.S.C. §3796dd(i)).

<sup>4</sup> See 42 U.S.C. §3796dd(b).

methamphetamine production, upgrade criminal records, and improve their forensic science capabilities. However, the overall appropriations for the COPS program started to decrease as Congress appropriated less funding for hiring law enforcement officers.

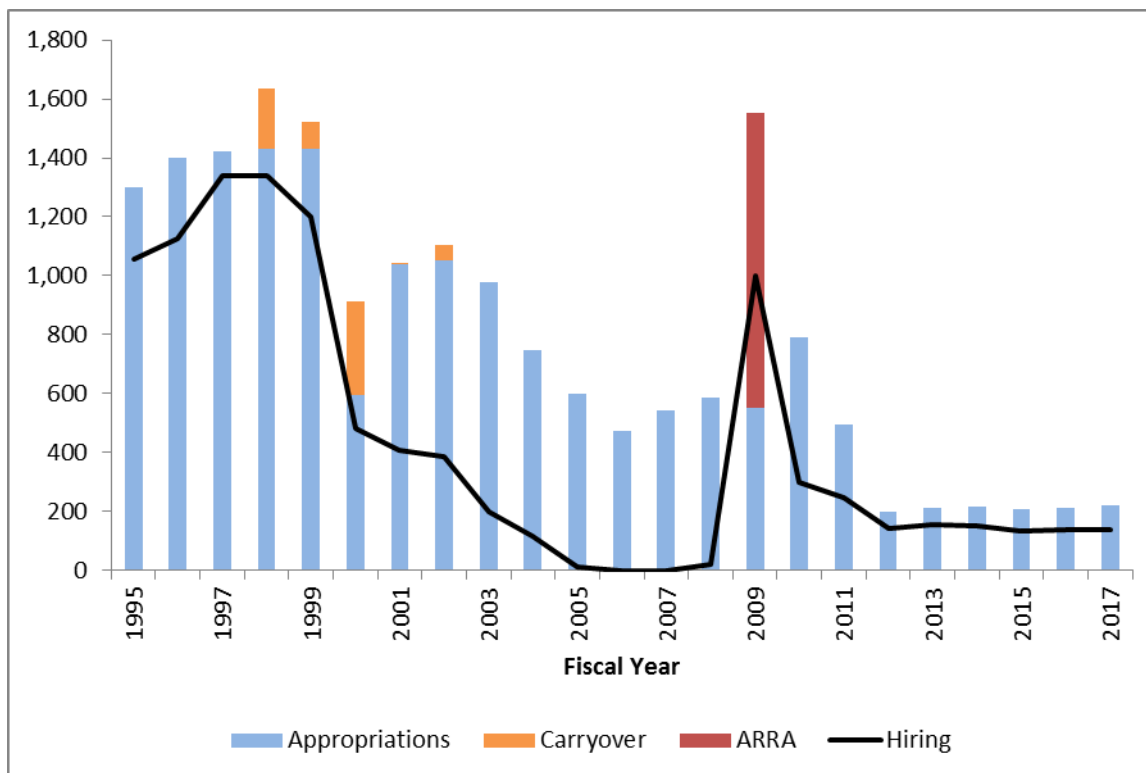
In the early years of the COPS program, a majority of the program's enacted appropriations went to grant programs specifically aimed at hiring more law enforcement officers. Beginning in FY1998, however, enacted appropriations for the hiring programs began to decline, and by FY2005, appropriations for hiring programs were nearly non-existent. 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 in FY2009-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. Congress has continued to provide appropriations for hiring programs even as the effects of the recession have waned.

There is a notable change in the total amount of funding Congress has provided for COPS since FY2011. From FY2012 to FY2017, Congress has provided approximately \$200 million for the COPS account each fiscal year. Prior to FY2012, the least amount of funding Congress provided for COPS was \$472 million for FY2006. The change in annual appropriations for COPS can be attributed to two trends: (1) the congressional earmark ban and (2) Congress restructuring the COPS account (see **Table A-2**). 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. 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.

From FY2010 to FY2012, Congress moved appropriations for programs that were traditionally 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. As shown in **Table A-2**, appropriations for programs that were moved to the S&LLEA account starting in FY2010 were traditionally transferred to the Office of Justice Programs. Since FY2012, Congress has not significantly changed or restructured the programs funded under the COPS account.

**Figure I. COPS Funding, FY1995-FY2017**

Appropriations in millions of dollars



**Source:** FY1995 through FY2011 enacted amounts were provided by the U.S. Department of Justice, Community Oriented Policing Services; FY2012 appropriation was taken from H.Rept. 112-284; FY2013 appropriation was provided by the U.S. Department of Justice; the FY2014 appropriation was taken from the joint explanatory statement to accompany P.L. 113-76, printed in the January 15, 2014, *Congressional Record* (pp. H507-H532); FY2015 appropriation was taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 12, 2014, *Congressional Record* (pp. H9342-H9363); FY2016 appropriation was taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759); FY2017 appropriation was taken from the joint explanatory statement to accompany P.L. 115-31, printed in the May 3, 2017, *Congressional Record* (pp. H3365-H3390).

**Notes:** "ARRA" is 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). Between FY1998 and FY2002, Congress directed the COPS Office to use unobligated balances from previous fiscal years to fund grant programs, which included grants for hiring, school safety, law enforcement technology, combating methamphetamine, armor vests for law enforcement officers, improving tribal law enforcement, and combating domestic violence.

## Select Issues

Authorized funding for the COPS program expired in FY2009. There are several issues policymakers might consider if they take up legislation to reauthorize the COPS program or when considering legislation to provide appropriations for the program.

One potential question facing Congress is whether the federal government should continue to provide grants to state and local law enforcement agencies to hire additional officers at a time of historically low crime rates. The Federal Bureau of Investigation reported that the violent crime

rate for 2015 was 373 violent crimes per 100,000 people, up from 362 per 100,000 in 2014.<sup>5</sup> However, the violent crime rate increased in 2015, and preliminary data suggests that it increased again in 2016.<sup>6</sup> Even though the violent crime rate increased in 2015, it was still at historic lows. The violent crime rate in 2015 is comparable to the violent crime rate in 1970 (364 per 100,000). The violent crime rate generally increased throughout the 1970s and 1980s, peaking at 758 violent crimes per 100,000 in 1991. The violent crime rate has generally decreased since then. However, since 1991 there were times when the violent crime rate increased for a year or two. Prior to the most recent increase, the violent crime rate increased in both 2005 and 2006, before declining most every year from 2007 to 2014.<sup>7</sup>

While violent crime rates continue to remain at historic lows, it is too early to tell if the recent increase in the rate signals the reversal of a long-term declining trend. Recent reports about a growing number of homicides and other violent crime in some cities might raise questions about whether grants to hire more police officers could be a way to assist cities facing crime problems. Proponents of the COPS program assert that COPS hiring grants contributed to the decreasing crime rate in the 1990s.<sup>8</sup> Three studies identified by CRS attempted to quantify the impact that COPS grants had on crime rates from the mid-1990s to 2001. In general, the studies suggest that COPS grants had a negative effect on crime rates, but the effect was not universal.<sup>9</sup> The studies suggest that COPS grants might not have been as effective at reducing crime in cities with populations of more than 250,000 people. Proponents also believe that the federal government has a role to play in supporting local law enforcement because it is the federal government's responsibility to provide for the security of U.S. citizens, which includes protecting citizens from crime.<sup>10</sup>

While there might be a desire among some policymakers to assist state and local governments that are facing growing levels of violent crime, opponents of the COPS program stress that state and local governments, not the federal government, should be responsible for providing funding for state and local police forces.<sup>11</sup> They argue that the purported effect of COPS hiring grants on crime rates in the 1990s is questionable.<sup>12</sup> They maintain that it is not prudent to increase funding for the program at a time when crime is relatively low and the federal government is facing

<sup>5</sup> Violent crime rates for the years 1960-2012 can be found in University at Albany, School of Criminal Justice, Hindelang Criminal Justice Research Center, *Sourcebook of Criminal Justice Statistics (online)*, Table 3.106.2012. The violent crime rates for 2013-2015 can be found in Federal Bureau of Investigation, *Crime in the United States, 2015*, Table 1.

<sup>6</sup> Federal Bureau of Investigation, *Crime in the United States, 2016, January-June Preliminary Semiannual Uniform Crime Report*, Table 1.

<sup>7</sup> The violent crime rate increased by 0.7 violent crimes per 100,000 in 2012.

<sup>8</sup> Rep. Conyers et al., "COPS Improvement Act of 2007," House Debate, *Congressional Record*, daily edition, vol. 153 (May 15, 2007), pp. H4985-H4995.

<sup>9</sup> U.S. Government Accountability Office, *Community Policing Grants: COPS Grants Were a Modest Contributor to Declines in Crime in the 1990s*, GAO-06-104, October 2005; William N. Evans and Emily G. Owens, "COPS and Crime," *Journal of Public Economics*, vol. 91 (2007), pp. 181-201; and David B. Muhlhausen, *Impact Evaluation of COPS Grants in Large Cities*, The Heritage Foundation, CDA06-03, Washington, DC, May 26, 2006.

<sup>10</sup> U.S. Congress, House Committee on the Judiciary, *Markup of: H.R. 1107, to Enact Certain Laws Relating to Public Contracts as Title 41, United States Code, "Public Contracts;" H.R. 1139, the "COPS Improvement Act of 2009;" and H.R. 1575, the "The End GREED Act,"* 111<sup>th</sup> Cong., 1<sup>st</sup> sess., March 18, 2009, p. 52 (hereinafter, "March 18 Markup of H.R. 1139").

<sup>11</sup> U.S. Congress, House Committee on the Judiciary, *Markup of: H.R. 1139, the "COPS Improvement Act of 2009" and H.R. 985, the "Free Flow of Information Act of 2009,"* 111<sup>th</sup> Cong., 1<sup>st</sup> sess., March 25, 2009, pp. 20-21, (hereinafter, "March 25 Markup of H.R. 1139").

<sup>12</sup> March 25 Markup of H.R. 1139, pp. 7-9. March 18 Markup of H.R. 1139, p. 47.

annual deficits.<sup>13</sup> Opponents might also argue that the COPS hiring grants are duplicative of other programs, such as the Edward Byrne Memorial Justice Assistance Grant program.<sup>14</sup>

As discussed above, when Congress reauthorized the COPS program it was changed to a single-grant program whereby law enforcement agencies can apply for a “COPS grant” that they can use for one or more of several programs outlined in current law. However, Congress has continued to appropriate funding for specific grant programs under the COPS account in the Commerce, Justice, Science and Related Agencies (CJS) appropriations act (see **Table A-2**).

Appropriations for the COPS account do not provide law enforcement agencies with the flexibility envisioned in the current authorizing legislation. Instead of being able to apply for one grant to use for one or more programs, law enforcement agencies must apply for funding under several different programs. Law enforcement agencies are also limited to using their grants for the programs specified by Congress in the annual CJS appropriations act.

Congress might consider whether in the future it should fund COPS as a single-grant program or if it should continue to appropriate funds for individual programs. If Congress chooses to fund COPS as a single-grant program, it could relieve the administrative burden on local law enforcement agencies because they would apply for and manage only one grant award rather than applying for grants under different programs. However, if Congress chooses to fund COPS as a single-grant program, it would lose some control over how COPS funds are spent, and hence the impact that the grant funding has on shaping state and local policies and practices. A single-grant program would mean that Congress could not ensure that a certain amount of funding was spent on hiring law enforcement officers or used to upgrade law enforcement’s use of new technology. In addition, awarding COPS grants under a single-grant program might make it more difficult to monitor the effectiveness of COPS grants because there would most likely be a wide variety of programs for which funds are used.

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<sup>13</sup> Ibid.

<sup>14</sup> Testimony of former U.S. Senator Tom Coburn, U.S. Congress, House Committee on the Judiciary, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, *Luxury Jets and Empty Prisons: Wasteful and Duplicative Spending at the Department of Justice*, 113<sup>th</sup> Cong., 1<sup>st</sup> sess., April 10, 2013.



## Appendix. COPS Funding History

**Table A-1. COPS' Requested Funding, Total Enacted Funding, Funding for Hiring Programs, and Authorized Appropriation, FY1995-FY2017**

Amounts in millions of dollars

Fiscal Year	President's Request	New Budget Authority	Carryover (from prior fiscal years)	Total	Hiring Programs	Authorized
1995	\$1,720	\$1,300	\$—	\$1,300	\$1,057	\$1,332
1996	1,903	1,400	—	1,400	1,128	1,850
1997	1,976	1,420	—	1,420	1,339	1,950
1998	1,545	1,430	203	1,633	1,338	1,700
1999	1,420	1,430	90	1,520	1,201	1,700
2000	1,275	595	318	913	481	268
2001	1,335	1,037	5	1,042	408	—
2002	855	1,050	55	1,105	385	—
2003	1,382	978 <sup>a</sup>	—	978	199	—
2004	164	748	—	748	114	—
2005	97	598	—	598	10	—
2006	118	472	—	472	—	1,047
2007	102	542 <sup>b</sup>	—	542	—	1,047
2008	32	587	—	587	20	1,047
2009	— <sup>c</sup>	551	—	551	1,000 <sup>d</sup>	1,047
2010	761	792	—	792	298	—
2011	690	495	—	495	247	—
2012	670	199	—	199	141	—
2013	290	210	—	210	155	—
2014	440	214	—	214	151	—
2015	274	208	—	208	135	—
2016	304	212	—	212	137	—
2017	286	222	—	222	137	—

**Source:** CRS presentation of the Administration's budget requests for the respective years. FY1995-FY2011 appropriations were provided by the U.S. Department of Justice, Office of Community Oriented Policing Services; FY2012 appropriation was taken from H.Rept. 112-284; FY2013 appropriation was provided by the U.S. Department of Justice; FY2014 appropriation was taken from the joint explanatory statement to accompany P.L. 113-76, printed in the January 15, 2014, *Congressional Record* (pp. H507-H532); FY2015 appropriation was taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 12, 2014, *Congressional Record* (pp. H9342-H9363); FY2016 appropriation was taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759); FY2017 appropriation was taken from the joint explanatory statement to accompany P.L. 115-31, printed in the May 3, 2017, *Congressional Record* (pp. H3365-H3390). Authorized funding taken from P.L. 103-322 and P.L. 109-162.

**Notes:** New budget authority does not include any rescissions of unobligated balances. The FY2013 enacted amount includes the amount sequestered per the Budget Control Act of 2011 (P.L. 112-25).

- a. Includes a \$929 million appropriation and a \$55 million supplemental appropriation.
- b. Does not include an across-the-board rescission of 0.5% to OJP and COPS programs to fund the Office of Audit, Assessment and Management (OAAM).
- c. For FY2009, the Administration did not request funding for any specific COPS grant program. Rather, the Administration requested \$4 million for community police training and technical assistance under the State and Local Law Enforcement Assistance account in the Commerce, Justice, Science, and Related Agencies appropriations bill.
- d. The \$1 billion COPS received for hiring grants for FY2009 was appropriated under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

**Table A-2. COPS Funding, by Program, FY2008-FY2017**

Amounts in millions of dollars

	<b>FY2008</b>	<b>FY2009</b>	<b>FY2010</b>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013<sup>a</sup></b>	<b>FY2014</b>	<b>FY2015</b>	<b>FY2016</b>	<b>FY2017</b>
Law Enforcement Technology Program	\$205	\$187	\$170	\$1	—	—	—	—	—	—
Community Policing Development	4	4	12	10	10	9	8	8	10	5
Tribal Law Enforcement Programs	15	20	40	33	35 <sup>b</sup>	33 <sup>c</sup>	33 <sup>d</sup>	33	30	—
Methamphetamine Enforcement and Clean-up	61	40	40	12	13	12	10	7	11	10
COPS Hiring Program	20	—	298	247	141	155	151	135	137	137
COPS Hiring Recovery Program	—	1,000	—	—	—	—	—	—	—	—
Interoperable Communications Technology	—	—	—	—	—	—	—	—	—	—
COPS Management & Administration	28	—	—	—	—	—	—	—	—	—
Police Integrity Program	—	—	—	—	—	—	—	—	—	—
School Safety Initiatives/ Secure Our Schools Act	—	16	16	13	—	—	—	—	—	—
Training and Technical Assistance on the Collaborative Reform Model	—	—	—	—	—	—	5	5	10	10
Anti-methamphetamine Task Forces	—	—	—	—	—	—	8	7	7	7
Anti-heroin Task Forces	—	—	—	—	—	—	—	7	7	10
Regional Gang Task Forces	—	—	—	—	—	—	—	7	—	—
Active Shooter Training (POLICE Act)	—	—	—	—	—	—	—	—	—	8
Child Sexual Predator Elimination/Sex Offender Management	16	18	24	20	—	—	—	—	—	—
Sex Offender Management	(4)	(5)	(11)	(9)	—	—	—	—	—	—
National Sex Offender Registry	(1)	(1)	(1)	(1)	—	—	—	—	—	—
Bullet-proof Vest Program	26	25	30	25	—	—	—	—	—	—
Crime Identification Technology Programs	—	—	—	—	—	—	—	—	—	—

	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013 <sup>a</sup>	FY2014	FY2015	FY2016	FY2017
National Criminal History Improvement Program	9	10	—	—	—	—	—	—	—	—
NICS Improvement	—	10	—	—	—	—	—	—	—	—
DNA Backlog Reduction Programs	152	156	161	133	—	—	—	—	—	—
Coverdell Forensic Science Grants	19	25	—	—	—	—	—	—	—	—
Project Safe Neighborhoods	20	15	—	—	—	—	—	—	—	—
Offender Re-entry Program	12	25	—	—	—	—	—	—	—	—
Anti-gang Program	—	—	—	—	—	—	—	—	—	—
Regional Information Sharing System	—	—	—	—	—	—	—	—	—	35
Total	587	1,551	792	495	199	210	214	208	212	222

**Source:** FY2008-FY2011 appropriations were provided by the U.S. Department of Justice, Office of Community Oriented Policing Services; FY2012 appropriation was taken from H.Rept. 112-284; FY2013 appropriation provided by the U.S. Department of Justice; FY2014 appropriation was taken from the joint explanatory statement to accompany P.L. 113-76, printed in the January 15, 2014, *Congressional Record* (pp. H507-H532); FY2015 appropriation was taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 12, 2014, *Congressional Record* (pp. H9342-H9363); FY2016 appropriation was taken from the joint explanatory statement to accompany P.L. 114-113, printed in the December 17, 2015, *Congressional Record* (pp. H9732-H9759); FY2017 appropriation was taken from the joint explanatory statement to accompany P.L. 115-31, printed in the May 3, 2017, *Congressional Record* (pp. H3365-H3390).

**Notes:** Amounts in **bold** were transferred to the Office of Justice Programs.

- a. The FY2013 enacted amount also includes the amount sequestered per the Budget Control Act of 2011 (P.L. 112-25).
- b. This amount includes \$15.0 million that was transferred from the appropriation for the COPS Hiring Program.
- c. This amount includes \$14.1 million that was transferred from the appropriation for the COPS Hiring Program.
- d. This amount includes \$16.5 million that was transferred from the appropriation for the COPS Hiring Program.

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