

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 4394

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to improve the COPS program with respect to training command-level personnel, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Police
5 Leadership Act”.

6 **SEC. 2. COMMANDER CURRICULUM DEVELOPMENT.**

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 (32), by striking “and” at the
11 end;

1 (2) in paragraph (33), by striking the period at
2 the end and inserting a semicolon; and

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

4 “(34) the term ‘command-level personnel’
5 means law enforcement officers employed by a State,
6 local, or Tribal law enforcement agency whose re-
7 sponsibilities include managing, directing, or over-
8 seeing law enforcement operations within a geo-
9 graphic subunit of the jurisdiction in which such
10 agency has primary responsibility for law enforce-
11 ment activities.”.

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

16 “(q) TRAINING IN IMPROVING POLICE COMMAND-
17 LEVEL PERSONNEL LEADERSHIP, MANAGEMENT, AND
18 EFFECTIVENESS.—

19 “(1) TRAINING CURRICULA.—

20 “(A) IN GENERAL.—Not later than 180
21 days after the date of enactment of this sub-
22 section, the Attorney General shall develop
23 training curricula or identify effective existing
24 training curricula for command-level personnel
25 relating to—

1 “(i) leadership and strategic thinking;

2 “(ii) critical incident response and

3 management, including understanding,

4 preparing for, and responding to the effect

5 of critical incidents on officers and commu-

6 nities;

7 “(iii) risk management;

8 “(iv) officer wellness;

9 “(v) data analysis and data-driven po-

10 licing tactics;

11 “(vi) evidence-based decision making;

12 and

13 “(vii) building community trust.

14 “(B) REQUIREMENTS.—The training cur-

15 ricula developed or identified under this para-

16 graph shall include—

17 “(i) primarily in-person instruction

18 and peer-to-peer learning;

19 “(ii) a framework for a practical, evi-

20 dence-based problem solving component

21 under which participating command-level

22 personnel—

23 “(I) identify and develop a pro-

24 posed solution to a leadership, oper-

25 ational, or management challenge rel-

1 evant to personnel in the command-
2 level personnel’s employing law en-
3 forcement agency;

4 “(II) receive feedback from cur-
5 riculum instructors and other partici-
6 pating command-level personnel to re-
7 fine the proposed solution accordingly
8 to meet the needs of the law enforce-
9 ment agency and community served;
10 and

11 “(III) present a final,
12 implementable product emphasizing
13 evidence-based strategies to program
14 instructors and the command-level
15 personnel’s district or geographic com-
16 mand; and

17 “(iii) the incorporation of pre-course
18 and post-course assessments to measure
19 knowledge acquisition and leadership com-
20 petencies relevant to the training curricula.

21 “(C) CONSULTATION.—The Attorney Gen-
22 eral shall develop and identify training curricula
23 under this paragraph in consultation with rel-
24 evant law enforcement agencies of States and
25 units of local government, organizations and

1 fraternal associations representing law enforce-
2 ment officers, universities with appropriate law-
3 enforcement or leadership programs, and any
4 other entities the Attorney General determines
5 appropriate.

6 “(2) CERTIFIED PROGRAMS AND COURSES.—

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

12 “(i) certify training programs and
13 courses offered to command-level personnel
14 which incorporate 1 or more of the train-
15 ing curricula developed or identified under
16 paragraph (1), or equivalents to such
17 training curricula, which may include certi-
18 fying training programs or courses offered
19 on or before the date on which the Attor-
20 ney General establishes the process; and

21 “(ii) terminate the certification of a
22 training program or course that fails to
23 meet the standards developed or identified
24 under paragraph (1).

1 “(B) PARTNERSHIPS WITH EDUCATIONAL
2 INSTITUTIONS.—Not later than 180 days after
3 the date on which training curricula are devel-
4 oped or identified under paragraph (1), the At-
5 torney General shall develop criteria to ensure
6 that entities which offer training programs or
7 courses that are certified under subparagraph
8 (A) collaborate with educational institutions to
9 evaluate and continuously improve the curricula
10 and coursework of those educational institu-
11 tions.

12 “(3) LIST.—Not later than 1 year after the
13 date on which the Attorney General completes the
14 activities required under paragraphs (1) and (2), the
15 Attorney General shall publish a list of law enforce-
16 ment agencies of States and units of local govern-
17 ment employing law enforcement officers who have
18 successfully completed a course using the training
19 curricula developed or identified under paragraph
20 (1), or equivalents to such training curricula, which
21 shall include—

22 “(A) the total number of law enforcement
23 officers that are employed by the law enforce-
24 ment agency; and

1 “(B) the number of law enforcement offi-
2 cers who have completed such a course.”.

3 **SEC. 3. ATTORNEY GENERAL REPORTS.**

4 (1) IN GENERAL.—Not later than 2 years after
5 the date of enactment of this Act, and annually
6 thereafter until the date that is 3 years after the
7 date of enactment of this Act, the Attorney General
8 shall submit to Congress a report on the activities
9 carried out as a result of the amendments made
10 under section 2.

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

13 (A) steps taken by the Attorney General to
14 develop or identify curricula under section
15 1701(q)(1) of the Omnibus Crime Control and
16 Safe Streets Act of 1968, as added by section
17 2;

18 (B) any assessments conducted or identi-
19 fied by the Attorney General on the effective-
20 ness and utilization of curricula developed or
21 identified under section 1701(q)(1) of the Om-
22 nibus Crime Control and Safe Streets Act of
23 1968, as added by section 2;

24 (C) recommendations for curriculum up-
25 dates and improvements; and

1 (D) barriers to training implementation.

2 **SEC. 4. GAO REPORT.**

3 Not later than 3 years after the date of enactment
4 of this Act, the Comptroller General of the United States
5 shall—

6 (1) conduct a review of the actions taken by the
7 Attorney General pursuant to this Act and the
8 amendments made by this Act; and

9 (2) submit to Congress a report on the review
10 conducted under paragraph (1), which shall include
11 a description of—

12 (A) the process for developing and identi-
13 fying curricula under section 1701(q)(1) of the
14 Omnibus Crime Control and Safe Streets Act of
15 1968, as added by section 2, including the ef-
16 fectiveness of the consultation by the Attorney
17 General with the agencies, associations, and or-
18 ganizations identified under that section; and

19 (B) the certification of training programs
20 and courses under section 1701(q)(2) of the
21 Omnibus Crime Control and Safe Streets Act of
22 1968, as added by section 2, including the de-
23 velopment of the process for certification and
24 its implementation.

1 **SEC. 5. STATE CERTIFICATIONS AND TRAINING STAND-**
2 **ARDS.**

3 Nothing in this Act, or an amendment made by this
4 Act, shall be construed to preempt or replace the authority
5 of any State or local government, including any Peace Of-
6 ficer Standards and Training entity or similar certifying
7 body, to set and enforce certification, training, or quali-
8 fication standards for law enforcement officers.