

117TH CONGRESS
1ST SESSION

H. R. 5768

To direct the Attorney General to establish a grant program to establish, create, and administer the violent incident clearance and technology investigative method, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 2021

Mrs. DEMINGS (for herself, Mrs. AXNE, Mr. EVANS, Ms. KELLY of Illinois, Mrs. MCBATH, and Mr. O'HALLERAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To direct the Attorney General to establish a grant program to establish, create, and administer the violent incident clearance and technology investigative method, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Violent Incident Clear-
5 ance and Technological Investigative Methods Act of
6 2021” or the “VICTIM Act of 2021”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Research indicates that law enforcement
2 agencies can impact clearance rates by improving in-
3 vestigative processes, detective effort, and organiza-
4 tional oversight and supervision of investigations.

5 (2) Law enforcement agencies that demonstrate
6 higher rates of clearance for homicides and non-fatal
7 shootings—

8 (A) have more structured oversight and
9 formal interactions between investigative units
10 and agency leadership;

11 (B) are more likely to have investigative
12 units that have good relationships with other
13 units and that share information well with
14 other units;

15 (C) have investigative units that have spe-
16 cific goals and performance metrics for both the
17 unit and for investigators within that unit; tend
18 to assign most, if not all, serious crimes to an
19 investigator, at least for preliminary review;

20 (D) have investigators who more frequently
21 respond to the initial crime scene shortly after
22 crimes have been reported;

23 (E) have investigators who either have (or
24 are required to have) specialized experience be-
25 fore joining investigative units or are expected

1 to be trained on specific skills once they join
2 those units;

3 (F) often have standard operating proce-
4 dures for investigations, where cases are man-
5 aged carefully and have requirements for com-
6 pletion;

7 (G) tend to support their investigative
8 units, both in terms of resources, as well as
9 symbolically; and

10 (H) have better relationships with their
11 community, even if no specific community-ori-
12 ented campaign or initiative exists between in-
13 vestigative units and community groups.

14 (3) Criminal justice agencies should collaborate
15 among each other and share best practices for solv-
16 ing homicides and non-fatal shootings.

17 (4) A comprehensive community engagement
18 strategy concerning gun violence is essential to im-
19 prove clearance rates for homicides and non-fatal
20 shootings.

21 **SEC. 3. GRANT PROGRAM WITH RESPECT TO VIOLENT INCI-**
22 **DENT CLEARANCE AND TECHNOLOGICAL IN-**
23 **VESTIGATIVE METHODS.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of the enactment of this Act, the Attorney General

1 shall establish a grant program (in this Act referred to
2 as the “Program”) within the Office of Justice Programs
3 to establish, implement, and administer violent incident
4 clearance and technological investigative methods.

5 (b) GRANT AUTHORITY.—In carrying out the Pro-
6 gram, the Attorney General may award a grant to an eligi-
7 ble recipient that submits an application for the Program.

8 (c) ELIGIBLE RECIPIENT.—Grants awarded under
9 the Program shall be awarded to a State, Tribal, or local
10 law enforcement agency or prosecuting office, or a group
11 of agencies or offices, and may be used for an eligible
12 project under subsection (e).

13 (d) APPLICATIONS.—A law enforcement agency ap-
14 plying to receive a grant under the Program shall submit
15 to the Attorney General an application at such time, in
16 such manner, and containing or accompanied by such in-
17 formation as the Attorney General may reasonably re-
18 quire.

19 (e) ELIGIBLE PROJECTS.—Grant funds awarded
20 under the Program shall be used to improve clearance
21 rates for homicides and non-fatal shootings by—

22 (1) ensuring the retention of detectives cur-
23 rently assigned to investigate homicides and non-
24 fatal shootings;

1 (2) hiring additional detectives to investigate
2 homicides and non-fatal shootings;

3 (3) training detectives in policies and proce-
4 dures determined to improve detectives' ability to ef-
5 fectively investigate and solve homicides and non-
6 fatal shootings;

7 (4) training police personnel to address the
8 needs of victims and family members from homicides
9 and non-fatal shootings;

10 (5) hiring additional patrol officers to replace
11 officers who have been transferred to detective;

12 (6) acquiring, upgrading, or replacing investiga-
13 tive or evidence processing technology or equipment;

14 (7) hiring additional evidence processing per-
15 sonnel;

16 (8) ensuring personnel responsible for evidence
17 processing have sufficient resources and training;

18 (9) hiring and training of personnel to analyze
19 violent crime, specifically with regards to the use of
20 intelligence information of criminal networks and the
21 potential for retaliation among gangs or groups, and
22 the geographic trends among homicides and shoot-
23 ings;

24 (10) ensuring victim services and personnel are
25 sufficiently funded, staffed, and trained;

1 (11) ensuring victims and family members of
2 homicides and non-fatal shootings have access to re-
3 sources, including—

4 (A) convenient mental health treatment
5 and grief counseling;

6 (B) funeral and burial expenses;

7 (C) relocation expenses;

8 (D) emergency shelter;

9 (E) emergency transportation; and

10 (F) lost wage assistance;

11 (12) developing competitive and evidence-based
12 programs to improve homicide and non-fatal shoot-
13 ing clearance rates; or

14 (13) developing best practices for improving ac-
15 cess to and acceptance of victim services, including
16 those that promote medical and psychological
17 wellness, ongoing counseling, legal advice, and finan-
18 cial compensation.

19 (f) FEDERAL SHARE.—The Federal share of the cost
20 of a project assisted with a grant under the Program shall
21 not exceed 100 percent if the grant is awarded on or be-
22 fore the date of December 31, 2032. The Federal share
23 of the cost of a project assisted with a grant under the
24 Program shall not exceed 50 percent if such grant is
25 awarded after December 31, 2032.

1 (g) REPORT BY ELIGIBLE RECIPIENT.—Not later
2 than 365 days after receiving a grant under the Program,
3 an eligible recipient shall submit to the Attorney General
4 a report on the Program, including—

5 (1) the number of homicide and non-fatal
6 shooting detectives hired by the grantee;

7 (2) the number of evidence processing personnel
8 hired by the grantee;

9 (3) any training provided to existing or newly
10 hired homicide and non-fatal shooting detectives de-
11 signed to assist in the solving of crimes and improve
12 clearance rates;

13 (4) any new evidence processing technology or
14 equipment or any upgrades to existing evidence tech-
15 nology or equipment;

16 (5) any training provided to evidence processing
17 personnel to improve outcomes and capacity; and

18 (6) data regarding clearance rates for homicides
19 and non-fatal shootings and crime trends from with-
20 in each jurisdiction in which grant funds were pro-
21 vided.

22 (h) NATIONAL INSTITUTE OF JUSTICE EVALUATION
23 AND REPORT TO CONGRESS.—

24 (1) EVALUATION.—Not later than two years
25 after the date of the enactment of this Act, and

1 every two years thereafter, the National Institute of
2 Justice shall conduct an evaluation of the practices
3 deployed by grant recipients to identify policies and
4 procedures that have successfully improved clearance
5 rates for homicides and non-fatal shootings.

6 (2) REPORT TO CONGRESS.—Not later than 30
7 days after completion of the evaluation under para-
8 graph (1), the Attorney General shall submit to Con-
9 gress a report including—

10 (A) the results of the evaluation conducted
11 by the National Institute of Justice; and

12 (B) information reported by each eligible
13 entity under subsection (i).

14 (i) AUTHORIZATION OF APPROPRIATIONS.—

15 (1) IN GENERAL.—There are authorized to be
16 appropriated to carry out this Program
17 \$100,000,000 for each of fiscal years 2023 through
18 2032.

19 (2) PERCENT FOR CERTAIN ELIGIBLE RECIPI-
20 ENTS.—10 percent of each appropriation made
21 under paragraph (1) shall be awarded to a Tribal
22 law enforcement agency or prosecuting office, or a
23 group of such agencies or offices.

24 (j) LAW ENFORCEMENT AGENCY DEFINED.—In this
25 section, the term “law enforcement agency” means a pub-

1 lie agency charged with policing functions, including any
2 of its component bureaus (such as governmental victim
3 services programs or Village Public Safety Officers), in-
4 cluding those referred to in subparagraphs (B) and (C)
5 of section 2(10) of the Indian Law Enforcement Reform
6 Act (25 U.S.C. 2801(10)(B)(C)), as amended by section
7 203(b) of the Indian Arts and Crafts Amendments (Public
8 Law 111–211).

○