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

IN THE SENATE OF THE UNITED STATES

Mr. Booker introduced the following bill; which was read twice and referred to the Committee on ________

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Violent Incident Clearance and Technological Investigative Methods Act of 2024” or the “VICTIM Act of 2024”.

SEC. 2. FINDINGS.

Congress finds the following:
(1) Research indicates that law enforcement agencies can increase clearance rates by improving—
   (A) investigative processes;
   (B) detective capacities; and
   (C) organizational oversight and supervision of investigations.

(2) When a law enforcement agency expends additional investigative effort, the law enforcement agency improves its success in gaining cooperation of key witnesses and increases the amount of forensic evidence collected.

(3) Effective investigation of homicides, shootings, and other firearm-related violent crimes can prevent subsequent related violence by—
   (A) deterring retaliation; and
   (B) providing interventions to individuals who may continue to commit crimes or become victims of retaliatory violence.

(4) Law enforcement agencies that demonstrate higher rates of clearance for homicides and firearm-related violent crimes—
   (A) have more structured oversight and formal interactions between investigative units and agency leadership;
(B) are more likely to have investigative units that have collaborative relationships and robust information sharing with other units of the law enforcement agency;

(C) have investigative units that have specific goals and performance metrics for both the unit and for investigators within the unit;

(D) have investigators who more frequently respond to the initial crime scene shortly after crimes have been reported to collect evidence and interview witnesses;

(E) have investigators who either have specialized experience before joining investigative units or are trained in investigations once they join those units;

(F) often have standard operating procedures for investigations that establish policies and evidence-based best practices for conducting and completing homicide investigations; and

(G) have better relationships with the communities they serve, even if no specific community-oriented campaign or initiative exists between investigative units and community groups.
(5) Criminal justice agencies should collaborate with each other and share best practices for solving homicides and firearm-related violent crimes.

(6) A comprehensive community engagement strategy concerning gun violence is essential to improving clearance rates for homicides and firearm-related violent crimes.

SEC. 3. GRANT PROGRAM WITH RESPECT TO VIOLENT INCIDENT CLEARANCE AND TECHNOLOGICAL INVESTIGATIVE METHODS.

(a) DEFINITIONS.—In this section:

(1) CLEARANCE BY ARREST.—The term “clearance by arrest”, with respect to an offense reported to a law enforcement agency, means the law enforcement agency—

(A) has—

(i) arrested not less than 1 person for the offense;

(ii) charged the person described in clause (i) with the commission of the offense; and

(iii) referred the person described in clause (i) for prosecution for the offense; or
(B) has cited an individual under the age of 18 to appear in juvenile court or before another juvenile authority with respect to the offense, regardless of whether a physical arrest occurred.

(2) CLEARANCE BY EXCEPTION.—The term “clearance by exception”, with respect to an offense reported to a law enforcement agency, means the law enforcement agency—

(A) has identified not less than 1 person suspected of the offense; and

(B) with respect to the suspect described in subparagraph (A), has—

(i) gathered enough evidence to—

(I) support an arrest of the suspect;

(II) make a charge against the suspect; and

(III) refer the suspect for prosecution;

(ii) identified the location of the suspect so that the suspect could be taken into custody immediately; and

(iii) encountered a circumstance outside the control of the law enforcement
agency that prohibits the agency from arresting the suspect, charging the suspect, or referring the suspect for prosecution, including—

(I) the death of the suspect;

(II) the refusal of the victim to cooperate with the prosecution after the suspect has been identified; or

(III) the denial of extradition because the suspect committed an offense in another jurisdiction and is being prosecuted for that offense.

(3) CLEARANCE RATE.—The term “clearance rate”, with respect to a law enforcement agency, means the quotient obtained by dividing—

(A) the number of offenses cleared by the law enforcement agency, including through clearance by arrest and clearance by exception;

by

(B) the total number of offenses reported to the law enforcement agency.

(4) ELIGIBLE ENTITY.—The term “eligible entity” means a State, Tribal, or local law enforcement agency or prosecuting office, or a group of such law enforcement agencies or prosecuting offices.
(5) **GRANT RECIPIENT.**—The term “grant recipient” means a recipient of a grant under the Program.

(6) **LAW ENFORCEMENT AGENCY.**—The term “law enforcement agency” means a public agency charged with policing functions, including any component bureau of the agency (such as a governmental victim services program or village public safety officer program), including an agency composed of officers or persons referred to in subparagraph (B) or (C) of section 2(10) of the Indian Law Enforcement Reform Act (25 U.S.C. 2801(10)).

(7) **PROGRAM.**—The term “Program” means the grant program established under subsection (b)(1).

(b) **GRANT PROGRAM.—**

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish a grant program within the Office of Community Oriented Policing Services under which the Attorney General awards grants to eligible entities to establish, implement, and administer violent incident clearance and technological investigative methods.
(2) APPLICATIONS.—An eligible entity seeking a grant under the Program shall submit to the Attorney General an application at such time, in such manner, and containing or accompanied by—

(A) such information as the Attorney General may reasonably require; and

(B) a description of each eligible project under paragraph (4) that the grant will fund.

(3) SELECTION OF GRANT RECIPIENTS.—The Attorney General, in selecting a recipient of a grant under the Program, shall—

(A) consider the specific plan and activities proposed by the applicant to improve clearance rates for homicides and firearm-related violent crimes; and

(B) prioritize the award of grants to eligible entities that—

(i) contribute use of force data to the National Use-of-Force Data Collection of the Federal Bureau of Investigation; or

(ii) contribute use of force data to or publish use of force data on a publicly accessible website, including a database maintained by a State, county, municipal, or Tribal agency.
(4) ELIGIBLE PROJECTS.—A grant recipient shall use the grant for activities with the specific objective of improving clearance rates for homicides and firearm-related violent crimes, including—

(A) ensuring the retention of personnel who are assigned to investigate homicides and firearm-related violent crimes as of the date of receipt of the grant;

(B) hiring and training additional personnel who will be assigned to investigate homicides and firearm-related violent crimes;

(C) developing policies, procedures, and training to improve clearance rates for homicides and firearm-related violent crimes, including implementing best practices relating to—

(i) improving internal agency cooperation, organizational oversight and accountability, and supervision of investigations;

(ii) developing specific goals and performance metrics for both investigators and investigative units;

(iii) establishing or improving relationships with the communities the agency serves; and
(iv) collaboration with and among other law enforcement agencies and criminal justice organizations;

(D) training to address the needs of victims and family members of victims of homicides and firearm-related violent crimes or collaborating with trained victim advocates and specialists to better meet the needs of victims and family members of victims;

(E) acquiring, upgrading, or replacing investigative, evidence-processing, or forensic testing technology or equipment;

(F) development and implementation of policies that safeguard civil rights and civil liberties during the collection, processing, and forensic testing of evidence;

(G) hiring or training personnel for collection, processing, and forensic testing of evidence;

(H) hiring and training of personnel to analyze violent crime and the temporal and geographic trends among homicides and firearm-related violent crimes;

(I) retaining experts to conduct a detailed analysis of homicides and firearm-related vio-
lent crimes using Gun Violence Problem Analysis (commonly known as “GVPA”) or a similar research methodology;

(J) ensuring victims have appropriate access to emergency food, housing, clothing, travel, and transportation;

(K) developing competitive and evidence-based programs to improve clearance rates for homicides and firearm-related violent crimes;

(L) developing best practices for improving access to and acceptance of victim services, including victim services that promote medical and psychological wellness, ongoing counseling, legal advice, and financial compensation;

(M) training investigators and personnel in trauma-informed interview techniques;

(N) establishing programs to support officers who experience stress or trauma as a result of responding to or investigating homicides or other violent crime incidents; or

(O) ensuring language and disability access supports are provided to victims and their families so that victims can exercise their rights and participate in the criminal justice process.
(c) SUPPLEMENT, NOT SUPPLANT.—Grant funds made available under this section shall be used to supplement, not supplant, Federal and non-Federal funds available for carrying out the activities described in this section.

(d) HIRING.—A grant recipient using funds for hiring personnel under subsection (b)(4)(B) shall make a good faith effort to determine whether an applicant with prior law enforcement experience has a disciplinary record or internal investigation record by—

(1) conducting a search of the National Decertification Index and, if available, the National Law Enforcement Accountability Database; or

(2) requesting the personnel record of the applicant from each law enforcement agency that employed the applicant.

(e) REPORT BY GRANT RECIPIENT.—Not later than 1 year after receiving a grant under the Program, and each year thereafter until a final report is submitted regarding fiscal year 2029, a grant recipient shall submit to the Attorney General a report on the activities carried out using the grant during the preceding fiscal year, including, if applicable—
(1) the number of personnel assigned to investigate homicides and firearm-related violent crimes hired by the grant recipient;

(2) the number of personnel hired for collecting, processing, and forensic testing of evidence by the grant recipient;

(3) a description of any training that is—

   (A) provided to existing (as of the date on which the grant was awarded) or newly hired personnel assigned to investigate homicides and firearm-related violent crimes; and

   (B) designed to assist in the solving of crimes and improve clearance rates;

(4) any new investigative, evidence-processing, or forensic technology or equipment purchased or any upgrades made to existing (as of the date on which the grant was awarded) investigative, evidence-processing, or forensic technology or equipment, and the associated cost;

(5) an assessment of investigative, evidence-processing, or forensic technology or equipment purchased with the grant to determine whether the technology or equipment satisfies the objectives of the use of the technology or equipment in increasing
clearance rates, and any policies in place to govern
the use of the technology or equipment;

(6) the internal policies and oversight used to
ensure that any technology purchased through the
grant for the purposes of improving clearance rates
does not violate the civil rights and civil liberties of
individuals;

(7) a description of the good faith efforts em-
ployed to comply with subsection (d);

(8) data regarding clearance rates for homicides
and firearm-related violent crimes, including the rate
of clearances by arrest and clearances by exception,
and crime trends from within each jurisdiction in
which the grant recipient carried out activities sup-
ported by the grant;

(9) whether the grant recipient has provided
grant funds to any victim services organizations, and
if so, which organizations;

(10) the demographic information for victims of
homicides and firearm-related violent crimes, and
the length and outcomes of each investigation, in-
cluding whether the investigation was cleared by ar-
rest or exception;

(11) the demographic information for each vic-
tim or family member of a victim who received vic-
tim-related services provided by the grant recipient;
and

(12) to the extent reasonably available, identification of the services most used by victims and their families and identification of additional services needed.

(f) CLEARANCE RATE REPORTING.—If 2 or more law enforcement agencies collaborate on a criminal investigation that results in a clearance, only the agency that initiated the investigation shall include that clearance in the report submitted under subsection (e).

(g) GRANT OVERSIGHT.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grant recipient has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) AUDITS.—
(i) **In General.**—Not later than the first fiscal year after the date of establishment of the Program, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of grant recipients under this section to prevent waste, fraud, and abuse of funds by grant recipients.

(ii) **Selection of Grant Recipients for Audit.**—The Inspector General of the Department of Justice shall determine the appropriate number of grant recipients to be audited each year.

(C) **Mandatory Exclusion.**—A grant recipient that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the fiscal year following the 12-month period after the final audit report has been issued.

(2) **Annual Certification.**—Not later than the end of the fiscal year during which audits commence under paragraph (1)(B)(i), and each fiscal year thereafter, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee
on the Judiciary and the Committee on Appropria-
tions of the House of Representatives a certification, 
including—

    (A) whether—

        (i) all audits conducted by the Office 
of the Inspector General of the Depart-
ment of Justice under paragraph (1) have 
been completed and reviewed by the appro-
priate Assistant Attorney General; and

        (ii) all mandatory exclusions required 
under paragraph (1)(C) have been issued;

and

    (B) a list of any grant recipients excluded 
from receiving grant funds under paragraph 
(1)(C) from the previous fiscal year.

(h) National Institute of Justice Evaluation 
and Report to Congress.—

    (1) Evaluation.—Not later than 2 years after 
the date of enactment of this Act, and every 2 years 
thereafter, the Director of the National Institute of 
Justice shall conduct an evaluation of—

        (A) the practices deployed by grant recei-
ents to identify policies and procedures that 
have successfully improved clearance rates for
homicides and firearm-related violent crimes;
and
(B) the efficacy of any services provided to
victims and family members of victims of homi-
cides and firearm-related violent crimes.

(2) REPORT TO CONGRESS.—Not later than 30
days after completion of an evaluation by the Na-
tional Institute of Justice under paragraph (1), the
Attorney General shall submit to Congress a report
including—
(A) the results of the evaluation; and
(B) information reported by each grant re-
cipient under subsection (e).

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be
appropriated to carry out this section $60,000,000
for each of fiscal years 2024 through 2029.

(2) PERCENT FOR CERTAIN ELIGIBLE ENTI-
TIES.—The Attorney General shall use 5 percent of
the amount made available under paragraph (1) for
a fiscal year to award grants under the Program to
Tribal law enforcement agencies or Tribal pros-
ceuting offices, or groups of such agencies or offices.