

SUPPORTING STATEMENT

State Certification Collection

PART A. JUSTIFICATION

1. Necessity of Information Collection

The Office of Community Oriented Policing Services (COPS Office) is requesting a 3-year generic clearance to collect lists of certified law enforcement agencies by independent credentialing bodies for the purposes of determining eligibility of Department of Justice (DOJ) discretionary funding. The COPS Office was established under the authority of the Attorney General to implement Title I of the “crime bill,” the Public Safety Partnership and Community Policing Act of 1994 (the Act). The Act authorizes the Attorney General to make grants to States, units of local government, Indian tribal governments, other public and private entities, and multi-jurisdictional or regional consortia thereof to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community, to address crime and disorder problems, and otherwise to enhance public safety.

On June 16, 2020, President Donald J. Trump issued Executive Order (EO) 13929 on Safe Policing for Safe Communities. The EO’s goal is to ensure that law enforcement agencies continue striving to provide transparent, safe, and accountable delivery of services to communities. This delivery will enhance community confidence in law enforcement and facilitate the identification and correction of internal issues before they result in injury to the public or to law enforcement officers.

Pursuant to authority vested in the Attorney General by the EO, a group of designated organizations will serve as the independent credentialing bodies. An independent credentialing body will be responsible for certifying that an applying law enforcement agency is in compliance with two mandatory safe policing principles in the U.S. Department of Justice (DOJ) Standards of Certification. A list of approved certifying agencies (Attachment A) and the DOJ Standards of Certification (Attachment B) are included as attachments.

The DOJ Standards of Certification identifies two safe policing principles that independent credentialing bodies must consider when assessing certification of applying law enforcement agencies:

1. Adherence to applicable laws. The applying agency maintains use of force policies that adhere to all applicable federal, state, and local laws.
2. Prohibition of choke holds. The applying agency maintains use of force policies that prohibit the use of choke holds, except in situations where the use of deadly force is allowed by law.

Certification of adherence to the two required principles is a prerequisite to a law enforcement agency’s eligibility for DOJ discretionary grant funding. Agencies will be required to provide a current and valid certification by January 31 in order to be eligible for federal funds in that year’s

funding cycle. Certifications will be good for three years from their date of issue. Pursuant to the guidance issued by DOJ, the independent credentialing body will maintain a list of certified agencies within its jurisdiction and submit this list to the COPS Office, which will serve as the repository for the list of all eligible law enforcement agencies.

2. Needs and Uses

The COPS Office will provide the independent credentialing bodies an Excel workbook outlining the requested information (Attachment C). The information being requested includes the following:

1. Originating Record Identifier (ORI): This number is assigned by the FBI for crime reporting purposes. The COPS Office uses ORI as one of the primary linking methods to application and reporting documents.
2. Employee Identification Number (EIN): A number assigned by the IRS for tax reporting purposes. This number is one of two primary linking identifiers within JustGrants, the DOJ system for applying for award funding.
3. Data Universal Number System (DUNS): A unique nine or thirteen digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. Only agencies that have applied for federal funding will have a DUNS number. This is the other linking identifier within JustGrants.
4. Agency name: Name of law enforcement agency.
5. City: City where law enforcement agency is located.
6. State: State where law enforcement agency is located.
7. Zip: Zip code where law enforcement agency is located.
8. Title of Chief Executive: Title of the law enforcement agency's chief executive (e.g., sheriff, chief of police, commissioner).
9. Chief Executive Name: Full name of the law enforcement agency's chief executive
10. Date Certification Issued: Date law enforcement agency received certification for EO 13929

Three identifiers are included in order to make it easier to reduce agency duplication in tracking. For example, some states have two independent credentialing bodies and law enforcement agencies could end up being certified by both agencies. Independent credentialing bodies will be asked to submit the list of law enforcement agencies they certified by January 31 to the COPS Office in February in the year of funding. The first year of this requirement is fiscal year 2021. Therefore, law enforcement agencies need to be certified by January 31, 2021 in order to apply for funding in FY21. The independent credentialing bodies will send the list of these agencies to the COPS Office in February 2021. These Excel lists will be compiled by the COPS Office upon receipt in order to verify funding eligibility.

These data will be used to assist in verification that law enforcement agencies are eligible for DOJ discretionary funding. The list will be used to determine applying agencies in JustGrants have been certified and are eligible to apply for DOJ discretionary funding. Further, this list will be shared with other DOJ components in order to determine grant eligibility.

3. Use of Information Technology

Independent credentialing bodies will be asked to submit a list of certified agencies in Excel via email to the COPS Office.

4. Efforts to Identify Duplication

There is no duplicative effort.

5. Minimizing Burden

Efforts were made to minimize the burden on respondents. Only ten data elements are being requested on each law enforcement agency obtaining certification. Additionally, most of these data elements will already be collected by independent credentialing bodies during the process of certification. Since most of the independent credentialing bodies will already be tracking these data in a similar electronic format, there will be little additional work on their part to provide these data to the COPS Office. Independent credentialing bodies will be provided the Excel workbook for use and will be able to submit the workbook with updates to the following COPS email address: COPSAgencyCert@usdoj.gov

6. Consequences of Less Frequent Collection

Less frequent collection is not possible. Funding for DOJ discretionary programs are appropriated on an annual basis. Certification will last three years so independent credentialing bodies will only be asked to submit the names of agencies that received certification by January 31st in that year's funding cycle in February.

7. Special Circumstances Influencing Collection

All the guidelines listed in the OMB guidelines are met. There are no special circumstances that would influence the collection of information pertaining to this collection.

8. Reasons for Inconsistencies with 5 CFR 1320.6

The 60-day Federal Register notice was published on DATE (FED REG number and pages). The 30-day Federal Register notice was published on DATE (FED REG number and pages). No public comments have been received.

9. Payment or Gift to Respondents

The COPS Office does not provide any payment or gift to respondents.

10. Assurance of Confidentiality

No assurance of confidentiality has been made to respondents.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature. No information commonly considered as private is included in the proposed requested information.

12. Estimate of Hour Burden

We estimate that about 3,000 law enforcement agencies will be certified before January 31, 2021 and an additional 5,000 per subsequent year, for a total of 13,000 law enforcement agencies. Since certification is a condition for federal funding we do not anticipate all law enforcement agencies in the U.S. will seek certification. We expect it to take independent credentialing bodies about 30 seconds to fill in a row on an agency in the Excel spreadsheet, less if they have a software program where law enforcement agencies can submit their data electronically.

	Number of law enforcement agencies certified	Number of seconds to enter into spreadsheet	Number of burden hours
Year 1	3,000	$3,000 \times 30 = 90,000$	$90,000 / 3,600 = 25$
Year 2	5,000	$5,000 \times 30 = 150,000$	$150,000 / 3,600 = 41.67$
Year 3	5,000	$5,000 \times 30 = 150,000$	$150,000 / 3,600 = 41.67$
Total	13,000	$13,000 \times 30 = 390,000$	$390,000 / 3,600 = 108.33$

Total Respondent Burden Hours: 108 hours

13. Estimate of Cost Burden

Completing the spreadsheet will not generate any costs other than those associated with the applicants' time. Therefore, the estimated burden cost is \$0.00.

14. Estimated Annualized Cost to Federal Government

The estimated annualized cost to the Federal Government for reviewing, compiling, and processing approximately 50 lists per year (not all independent credentialing bodies will submit a spreadsheet) is approximately 1 hours per independent credentialing body. A GS-13 with an hourly rate of \$54.11 will compile the spreadsheets. No special equipment, other than currently in-use computing equipment is required. The cost to the Federal Government is as follows:

1 hours per spreadsheet x 50 spreadsheet = 50 hours
50 hours @ \$54.11 per hour = \$2,705.50

Total Annualized Cost to the Federal = \$2,705.50

15. Reason for Change in Burden

There has been no change in burden as this is a new program.

16. Publication

These data will not be published.

17. Request to Not Display OMB Control Number and Expiration Date

The COPS Office does not request an exemption for this requirement.

18. Exceptions to Certification Statement

The COPS Office does not request an exception to the certification of this information collection.

PART B. STATISTICAL METHODS

This collection of information does not require the employment of statistical methods.