SPONSOR: Rep. Michael Smith & Sen. Pettyjohn & Sen. Hoffner
Reps. Bush, Cooke, Gray, Morris, Osienski, Ramone, Shupe, Vanderwende; Sens. Huxtable, Lawson, Mantzavinos, Wilson

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 39

AN ACT TO CREATE THE EXPANDED PROTECTION FOR OUR COMMUNITIES AND HOMES GRANT PROGRAM.

WHEREAS, law enforcement agencies have been finding it difficult to attract enough qualified candidates to fill current vacancies; and

WHEREAS, law enforcement agencies are being increasingly challenged to retain qualified officers; and

WHEREAS, law enforcement officials are finding it more difficult for their short-staffed agencies to fully meet their public safety obligations; and

WHEREAS, jurisdictions throughout Delaware have experienced a rising number of citizens expressing concern about aggressive driving, speeding, and other traffic law violations; and

WHEREAS, traffic fatalities have increased significantly during 2022 when compared to the same period last year.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. There is hereby created the Expanded Protection for Our Communities and Homes (EPOCH) Grant Program with a one-time $20 million appropriation to the Department of Safety and Homeland Security (the Department).

Section 2. The Department shall establish the EPOCH Grant Program Account from which all distributions specified in this legislation shall be made.

Section 3. Unless a law enforcement agency listed in this section opts out of the program by communicating its intentions to the Secretary of the Department of Safety and Homeland Security, the Department shall distribute $50,000 from the EPOCH Grant Program Account established by Section 2 of this act, to each of the following agencies:

1. Bethany Beach Police Department
2. Blades Police Department
3.Bridgeville Police Department
4. Camden Police Department
5. Cheswold Police Department
6. Clayton Police Department

7. Division of Fish and Wildlife Enforcement (DNREC)

8. Division of Parks and Recreation (DNREC)

9. Environmental Crimes Unit (DNREC)

10. Dagsboro Police Department

11. Delaware Capitol Police

12. Delaware State Police

13. Delaware State University

14. Delmar Police Department

15. Dewey Beach Police Department

16. Division of Alcohol and Tobacco Enforcement

17. Dover Police Department

18. Ellendale Police Department

19. Elsmere Police Department

20. Felton Police Department

21. Fenwick Island Police Department

22. Frankford Police Department

23. Greenwood Police Department

24. Harrington Police Department

25. Kenton Police Department

26. Laurel Police Department

27. Lewes Police Department

28. Middletown Police Department

29. Milford Police Department

30. Millsboro Police Department

31. Milton Police Department

32. New Castle City Police Department

33. New Castle County Police Department

34. Newark Police Department

35. Newport Police Department

36. Ocean View Police Department

37. Rehoboth Beach Police Department

38. Seaford Police Department

39. Selbyville Police Department

40. Smyrna Police Department

41. South Bethany Police Department

42. Townsend Police Department

43. University of Delaware Police Department

44. Viola Police Department

45. Wilmington Police Department

46. Wyoming Police Department

47. Georgetown Police Department

Section 4. Subsequent to the distribution of funds established in Section 3 of this act, the Department shall distribute the funds remaining in the EPOCH Grant Program Account to the agencies listed in Section 3 on a per capita basis in consideration of the number of authorized uniformed law enforcement officers as of July 1, 2023, for each participating agency.

Section 5. EPOCH grants could be used by the recipient agencies to:

(a) recruit new officers;

(b) promote or encourage careers in law enforcement;

(c) initially pay the salaries of newly hired officers;

(d) pay for overtime to facilitate additional work to address issues of concern, including traffic enforcement;

(e) implement programs designed to improve public safety within a recipient agency's jurisdiction.

Section 6. Agencies could choose to cooperate in joint efforts, combining portions of EPOCH grant allocations to address initiatives of shared interest within the parameters of those conditions established in Section 5.

Section 7. Any uncertainty as to the appropriate use of an EPOCH Grant as described in this act shall be resolved by the Secretary of the Department of Safety and Homeland Security within 10 business days of the submission of a request for resolution.

Section 8. Funds appropriated to the police agencies through the EPOCH Grant Program shall not be subject to reversion in Fiscal Years 2024, 2025, and 2026. Any EPOCH grants unexpended or unencumbered by the recipient agencies as of the beginning of Fiscal Year 2027 (July 1, 2026) shall be returned to the Department and reverted to the General Fund.

Section 9. Each agency receiving EPOCH Grant allocations shall, within 15 business days of the end of Fiscal Years 2024, 2025, and 2026, report to the Department detailing how much of its total grant allocation was spent during that fiscal year; what portion of the allocation has been encumbered; and what portion of the grant remains available for allocation. The Department would, no later than 60 days following this reporting deadline, compile the information and distribute it to every member of the General Assembly and the governor, as well as posting it on the Department's website for public inspection.

Section 10. Implementation of this legislation shall be subject to a $20 million appropriation from the Delaware General Assembly.

Section 11. EPOCH grant recipients would be solely responsible for any continuing financial obligations created by their use of the EPOCH grant allocations.

SYNOPSIS

This bill seeks to create the Expanded Protection for Our Communities and Homes (EPOCH) Grant Program through a one-time appropriation of $20 million. The grant money would be distributed to every Delaware police agency that chooses to participate. The distribution would consist of a minimum standard allocation made to each agency and an allocation based on the number of uniformed officers authorized for each agency. EPOCH grants could be used by the recipient agencies to recruit new officers; promote or encourage careers in law enforcement; initially pay the salaries of newly hired officers; pay for overtime to facilitate additional work to address issues of local concern (including traffic enforcement); and implement programs designed to improve public safety in the area of the agency's jurisdiction. The grant allocations would be available for the agencies to use for up to three years, after which any unused and unencumbered funding would return to the General Fund.