

Citizens Option for Public Safety (COPS)

A Primer on Supplemental Law Enforcement Services Account (SLESA) Grants

Background: A Sales Tax for Public Safety Born Out of ERAF

The Citizens Option for Public Safety (COPS)ⁱ program was originally adopted in AB3229 (Brulte) 1996 with funding from the state general fund. COPS provides funding for

- front-line law enforcement (city police, county sheriffs, and police protection districts);
- county jails;
- district attorneys for prosecution; and
- local juvenile justice programs (since 2000-01).

State COPS funding is allocated by the State Controller to counties for deposit by the county auditor in a Supplemental Law Enforcement Services Account (SLESA)ⁱⁱ established in each county. The county auditor is required to allocate the moneys in the county's SLESA within 30 days of the receipt of those moneys from the State Controller.

As a part of the 2011 realignment of various public safety programs from the state to local government, the Legislature approved the Local Law Enforcement Services Act (AB118) and shifted all remaining motor vehicle license fee (MVLFF) revenue that was previously cities to pay for various local law enforcement grant programs including the COPS/SLESA programs (SB89). The MVLFF is a constitutionally guaranteed revenue to cities and counties and had been a critical general purpose revenue and the shift is under legal challenge by the League of California Cities. These law enforcement grants had previously been funded from the state general fund.

SB89, AB118 Local Law Enforcement Services Acct				
Effective July 1, 2011				
	Apportionment		Allocation	Statutory Reference
Jail Detention Facility Grants		fixed \$	\$ 35,000,000	GovCode 29553(b)
SLESF: jail constr/ops	5.15%	23.54%	\$ 11,029,596	GovCode 30061(f)
SLESF: Distr Atty	5.15%	^	\$ 11,029,596	GovCode 30061(f)
SLESF: COPS Frontline Law Enf	39.70%	^	\$ 85,024,267	GovCode 30061(f)
Juvenile Justice Crime Prevention	50.00%	23.54%	\$ 107,083,460	GovCode 30061(f)
Small Rural Sheriffs		4.07%	\$ 18,514,430	GovCode 30070
Juvenile Probation		33.38%	\$ 151,845,620	Welfare&InstCode 18220
Juvenile Camps & Ranches		6.47%	\$ 29,432,030	Welfare&InstCode 18220.1
Cal Emergency Mgmt Agency ¹		9.00%	\$ 40,941,000	Penal Code 13821
	100.00%	100.00%	\$ 489,900,000	² GC30027(b), GC30029(e)
1) Includes Cal-MMET, Vertical Prosecution Block Grants, Evidentiary Medical Training, Public Prosecutors and Public Defenders, Calif Gang Violence Suppression, CALGANG, MultiAgency Gang Enforcement Consortium, Rural Crime				
2) GC Sec30027(b) \$489,900,000 allocated to LLESA for FY2011-12 and on. If insufficient funds - balance from LRF.				

Historic details of COPS/SLESA allocations by agency are available at <http://www.californiacityfinance.com/#SUBVENTIONS>.

Frontline Law Enforcement

Front line law enforcement funds are allocated to cities, counties and five police protection districts¹ on a population basis. County allocations under this program are for services to unincorporated areas and county allocations are based on unincorporated area population. In FY2000-01 the law was amended to provide a minimum frontline law enforcement allocation of \$100,000 to any local agency receiving funding under the program.

Local Use and Procedural Requirements

Funds from the COPS program must be used exclusively to fund frontline municipal police services, “in accordance with written requests submitted by the chief of police ... or the chief administrator of the law enforcement agency that provides police services for (the) city.”ⁱⁱⁱ For counties, the board of supervisors must appropriate the funds in response to written requests submitted by the county sheriff and the district attorney.^{iv} The requests must identify the needs to be addressed and must specify the personnel, equipment, and programs that are necessary to meet those needs.

These moneys must supplement existing services, and may not be used to supplant any existing funding for law enforcement services.^v Administrative overhead costs charged to SLESA funding may not exceed 0.5 percent of the total allocation.^{vi} SLESA funds must be expended or encumbered no later than June 30 of the fiscal year following receipt or be forfeited to the County Enhancing Law Enforcement Activities Subaccount for reallocation to other law enforcement grants pursuant to law.^{vii}

SB1023 (2012) removed various reporting and public hearing requirements for cities and counties expending SLESA moneys and removed the requirement for each county to have a Supplemental Law Enforcement Oversight Committee (SLEOC) to determine whether the recipient entities have expended moneys received from the SLESA appropriately.

For a complete listing of COPS/SLESA allocations for all cities and counties see
<http://californiacityfinance.com/#SUBVENTIONS>

mjgc

ⁱ Not to be confused with a federal program providing local law enforcement grants and bearing the same “COPS” acronym: Community Oriented Policing.

ⁱⁱ Called the Supplemental Law Enforcement Services Fund (SLESF) prior to 2011.

ⁱⁱⁱ Gov’t Code § 30061(c)(2)

^{iv} Gov’t Code § 30061(c)(1)

^v Gov’t Code §30062(a)

^{vi} Gov’t Code §30062(c)(1)

^{vii} Gov’t Code §30061(e)

¹ The five police protection districts that receive funding under this program are: Broadmoor Police Protection District (San Mateo County), Bear Valley Community Services District (Kern County), Stallion Springs Community Services District (Kern County), Lake Shastina Community Services District (Siskiyou County), Kensington Police Protection District (Contra Costa County).