



COPS Fact Sheet

www.cops.usdoj.gov

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

Retention Requirements for COPS Funded Positions

Retention Basics

All COPS hiring and redeployment grant programs have a retention requirement.

COPS-funded positions must be retained for at least one full local budget cycle beyond the local budget year in which the federal funding concluded. The retained positions must be in addition to the number of locally funded positions that would otherwise have existed without federal funding. Consistent with the intent of the 1994 Crime Act, this requirement helps to ensure a long-term increase in the number of sworn officer and/or civilian positions serving the community. These additional positions must be retained using state, local, or other non-federal funding. You may not use attrition to meet the retention requirement.

COPS Programs Subject to the Retention Requirement

The retention requirement applies to the following COPS grants:

- Accelerated Hiring Education and Deployment (AHEAD),
- COPS in Community Prosecution Pilot Program (CICP),
- COPS in Schools (CIS) grants,
- Distressed Neighborhoods,
- Funding Accelerated for Smaller Towns (FAST),
- Making Officer Redeployment Effective (MORE),
- MCHS Initiative,
- Mental Health and Community Safety Initiative for American Indian / Alaska Native Children, Youth and Families,
- Small Communities Grant Program (SCGP),
- Tribal Hiring Renewal Grant Program,

- Tribal Resources Grant Program (TRGP), and
- Universal Hiring Program and Supplements (UHP).

Retention Agreements

When an agency applies for and accepts a COPS grant, it submits retention information on some or all of the following documents: grant application; budget summary sheets; signed grant award page; grant conditions (specifically including retention planning); annual reports; and the Retention Plan Certification form. Agencies must follow through with these plans and the grant conditions as agreed upon grant acceptance.

Retention Planning

Plans to retain COPS-funded positions must reflect a legitimate attempt by the law enforcement agency and its governing body (e.g., the city, county, town, or borough) to secure and provide resources to continue funding the additional officer and/or civilian position(s). An acceptable Retention Plan Certification must be submitted with the grant application.

The COPS statute requires agencies to plan to retain the additional COPS-funded sworn positions and civilian positions with *state or local* funding at the conclusion of federal support. Therefore, other federal funding, including but not limited to UHP, MORE, Advancing Community Policing, Local Law Enforcement Block Grants (LLEBG), COPS in Schools, or Community Development Block Grants (CDBG), may not be used to fund the retention of officer or civilian positions.

Failing to Plan for Retention

Failure to document efforts to retain COPS-funded positions, or making no efforts to retain, may result in the revocation or suspension of existing grant funds, rejection of pending applications, ineligibility for further COPS or Office of Justice Programs funding, and any other remedy the COPS Office deems appropriate. For audit purposes, records documenting retention must be available for review for up to three years after the conclusion of the grant.

As part of our monitoring efforts, COPS, the Office of the Inspector General, and other U.S. Department of Justice representatives regularly review departments' progress in retention planning. Retention planning is a condition of the grant award and is a compliance requirement. COPS will track sworn and civilian position retention following the conclusion of each grant through a variety of monitoring activities, e.g., progress reports, site visits and office-based grant reviews. If your agency currently has an active grant, COPS will confirm retention planning when it conducts a monitoring site visit or an office-based grant review.

Sample Retention Plans

Across the country, agencies are using sound fiscal management policies to retain COPS-funded staff. Most grantees are retaining through budget requests to their governing bodies. In addition, agencies have turned to innovative funding avenues such as:

- Collaborative arrangements with other state/local agencies to share the cost of positions based on assignments (e.g., school districts, public housing);
- Using funds from cost savings in other government agencies;
- Retiring municipal bonds;
- Applying for other non-federal funding sources such as state grants to support the additional COPS positions at the termination of the COPS grant;
- Using funds from parking, traffic or ordinance enforcement;
- Using asset forfeiture funds;
- Seeking law enforcement funding from private sources, including corporate and non-profit entities; and/or
- Pursuing local revenue initiatives.

This list is just a sample of the innovative approaches used to obtain funding to meet the retention requirement. The COPS Office does not recommend any one particular approach, but advises tailoring your retention plan to your community's specific circumstances.

Grant Monitoring

Retention Plans submitted to the COPS Office must include the following elements to be acceptable:

Document co-signed by the highest ranking Law Enforcement Executive (Chief/Sheriff/Director of Public Safety, etc.) and the highest ranking Government Executive (Mayor/City Manager/Chairman of County Commission, etc.) that identifies:

- The planned sources of funding for retaining the position(s); and

Jurisdictions must submit a retention plan at the time of application. For many programs a Retention Plan Certification is required which will serve as your official retention plan. Grantee agencies must also submit these documents upon request by the COPS Office.

Financial Distress and Retention

Local fiscal and budgetary conditions cannot always be predicted. If circumstances arise which jeopardize the law enforcement agency's ability to retain, the COPS Office must be contacted immediately for a review of the retention plan and implementation efforts. The COPS Office will evaluate these situations on a case-by-case basis. Retention exemptions, are granted only in cases of severe local distress or other mitigating circumstances as deemed appropriate by the COPS Office. These exemptions are not an option and will not be considered during the pre-award phase. Exemptions to the retention plan requirement will not be considered until the last quarter of the grant period.

For More Information

For questions about the retention requirement, please contact your Grant Program Specialist by calling the U.S. Department of Justice Response Center at 1.800.421.6770, or by visiting the COPS web site at: www.cops.usdoj.gov