

SUBJECT: Establishing the bulletproof vest and body armor grant program

COMMITTEE: Homeland Security and Public Safety — favorable, without amendment

VOTE: 7 ayes — P. King, Nevárez, Burns, Holland, J. Johnson, Metcalf, Schaefer
0 nays
2 absent — Hinojosa, Wray

SENATE VOTE: On final passage, March 13 — 30-0

WITNESSES: For — Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Frederick Frazier, Dallas Police Association; Mitch Landry, Texas Municipal Police Association (TMPA); (*Registered, but did not testify*: Tom Bond, Buffalo Armory LLC; Ernest Gonzalez, Cities of Freer, San Diego and Eagle Pass, Texas; Eddie Solis, City of Arlington; Lindsey Baker, City of Denton; Guadalupe Cuellar, City of El Paso; TJ Patterson, City of Fort Worth; Bill Kelly, City of Houston Mayor's Office; Jon Weist, City of Irving; Jeff Coyle, City of San Antonio; Charley Wilkison, Combined Law Enforcement Associations of Texas (CLEAT); Gary Tittle, Dallas Police Department's Office of the Chief of Police; Jessica Anderson, Houston Police Department; Ray Hunt, Houston Police Officers Union; James Jones, San Antonio Police Department; Andrea Brauer, Texas Gun Sense; Monty Wynn, Texas Municipal League; James McLaughlin, Texas Police Chiefs Association; Deborah Ingersoll, Texas State Troopers Association; Jennifer Allmon, The Texas Catholic Conference of Bishops)

Against — None

On — (*Registered, but did not testify*: Phillip Ayala, Texas Department of Public Safety)

DIGEST: SB 12 would require the Office of the Governor's Criminal Justice Division to establish and administer the bulletproof vest and body armor

grant program to provide financial assistance to a law enforcement agency that sought to equip its peace officers with bulletproof vests, ballistic plates, and plate carriers. The division could use any revenue available for the grant.

A law enforcement agency could apply for a grant only if the agency first adopted a policy addressing the deployment and allocation of vests or plates to its officers and the use of the equipment by its officers. As soon as practicable after receiving a grant, an agency would have to provide the criminal justice division with a proof of purchase, including the price and quantity of each type of item purchased. A vest or plate purchased with a grant would have to comply with a National Institute of Justice standard for rifle protection.

The Criminal Justice Division would have to submit to the Legislative Budget Board by December 1 of each year a report that provided:

- the name of each law enforcement agency that applied for a grant;
- the amount of money distributed to each agency that received a grant; and
- the number of vests, plates, and carriers purchased by each agency that received a grant.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

**SUPPORTERS
SAY:**

SB 12 would address concerns that local law enforcement agencies have suffered preventable losses of life in the line of duty due to a lack of sufficient resources to acquire bulletproof vests and other body armor that can withstand rounds from high-caliber firearms. The use of assault rifles by criminals has become more prevalent, and the bulletproof vests currently worn by police officers may not be sufficient to withstand these high-caliber weapons. One such incident occurred in Dallas in July 2016, where officers were killed in the line of duty while wearing ballistic-resistant vests.

Although the bill would cost the state \$25 million, this would be an investment in Texas. The role of police officers as public servants should never be underestimated or overlooked, and some political subdivisions would not be able to afford vests for their patrol officers without assistance from the state. The Legislature should send a strong message of support for the thousands of men and women who lay their lives on the line for Texans every day.

OPPONENTS
SAY:

While ensuring the safety of peace officers is within the role of government, SB 12 improperly would place the cost burden on the state rather than on local government. Local municipalities are responsible for hiring, training, and equipping their own officers, and they should budget for and fund the procurement of new bulletproof vests and ballistic plates instead of relying on a state grant program to meet these needs. The bill also would cost the state \$25 million during a tight budget cycle.

NOTES:

According to the Legislative Budget Board's fiscal note, the bill would result in a negative impact of \$25 million to general revenue related funds in fiscal 2018. This estimate is based on a rider in the House and Senate versions of the general appropriations act for fiscal 2018-19 that would authorize grant funding in that amount to law enforcement agencies for the purchase of bullet-resistant vests.

A companion bill, HB 3239 by Fallon, was referred to the House Homeland Security and Public Safety Committee on March 30.